

## EXTENSIONS OF REMARKS

FRED VAN WORT—JOURNAL-NEWS BUSINESS PERSON OF THE YEAR

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to inform my colleagues of the tribute being made to one of my outstanding constituents—Fred Van Wort, who was just named the Journal-News "Business Person of the Year" for Rockland County, N.Y. It is altogether fitting that Fred receive this award, and I am proud to be able to bring Fred's achievements to the attention of the House of Representatives. For it is not only Fred's excellence in the business world that is recognized today, it is also Fred's compassion for his fellow citizens that distinguishes him.

In addition to serving as the president of Provident Savings—the largest banking institution with Rockland headquarters—and successfully leading his bank through a number of changes and rough times, Fred has been deeply committed to numerous civic and charitable endeavors in Rockland County. Fred's dedicated service as chairman of the Industrial Development Agency, acting president of the Board of Directors of Rockland Community College, secretary-treasurer of the Private Industrial Council, trustee for the Boy Scouts, trustee for the Good Samaritan and Tuxedo Hospitals, treasurer of the Village of West Haverstraw, chairman of the Administrative Board of the United Methodist Church, director of the Rockland County Center for the Physically Handicapped, and also his 14 years of service as a member and past chairman of the Salvation Army Adviser's Board have caused Fred to be recognized as an exceptional distinguished member of our community. Fred's contributions have made Rockland County a better place to live for everyone. His determination, dedication, and heart-warming concern for others have touched many Rockland citizens in a very positive way.

It is no surprise that Fred is being honored as the Journal-News "Business Person of the Year" on Tuesday, April 3. Yet, it may be even more appropriate to note that Fred Van Wort, the businessman, is not merely a man of business but moreover, a man of humanity. I take great pleasure in paying tribute to Fred today, and I am

pleased to represent Fred and his family in Congress.

I would like to take this opportunity to insert the Journal News at this point in the CONGRESSIONAL RECORD to further inform my colleagues about the caring qualities and successes of Fred Van Wort.

FRED VAN WORT—A COMMUNITY LEADER YOU CAN BANK ON

(By Daniel Janal)

The green playing fields of his youth in Garnerville are now covered with housing complexes, office parks and regional supermarkets. Gone are the Norman Rockwell days, the simpler times.

As President of Provident Savings—the largest banking institution with Rockland headquarters—Fred Van Wort has changed with the times. He has guided his bank through the basic changes of the industry, and has managed to devote a considerable amount of his time to serving the county's civic organizations.

His dual commitment to community and business over the years has earned him the Business Person of the Year award by The Journal-News this year. He will be honored at a luncheon this spring.

The 59-year-old Garnerville resident was nominated for the honor by several anonymous admirers. One of them wrote: "Fred has given his talents, time and efforts to many causes over the years. He has been active in Boy Scouts and similar organizations, but in addition, he has served and is still serving on many economic development boards in the county."

"All this time, he has managed to steer his own organization through some very difficult times and still come out on top. A very astute businessman, with a very great heart."

Another wrote: "As chairman of the Industrial Development Agency and Rockland Community College, office of Private Industry Council and many community and charitable organizations as well as chief executive officer of Rockland's largest banking institution, he has promoted Rockland's future, its infrastructure and the development of new business and economic concepts."

Van Wort has long recognized a need to contribute to the community. If Who's Who published a book of those who've contributed heavily to civic organizations, Van Wort would have to rank high on the list.

His credits include chairmanship of the Rockland County Industrial Development Agency, secretary-treasurer of the Private Industry Council, trustee of Good Samaritan Hospital and Tuxedo Hospital, treasurer of the village of West Haverstraw, chairman of the administrative board of United Methodist Church, director of the Rockland County Center for the Physically Handicapped, trustee of the Boy Scouts and acting president of the board of directors of Rockland Community College.

Jack Peters, director of Salvation Army Development Program, has seen Van Wort in action for the past 14 years as member of

Salvation Army Advisory Board and a past chairman.

"He is an outstanding, compassionate guy who cares for people. Fred will go out and deliver a food basket to somebody. He will sit down and write a check to someone in need. That's the kind of guy he is," said Peters. "He has been a dominant factor in planning and developing Salvation Army services and programs throughout the county. He is presently heading our building fund for a new corps community center to meet the needs of people in Rockland. He is truly interested in helping others and making our county a better place to live and work for all. We are fortunate to have such an outstanding business professional on our number one team."

Van Wort said he always knew the importance of civic duty.

"I'm very interested in Rockland County and what goes on in Rockland County. I think when the good Lord passed out the talent to someone, he should use it," he said. "Apparently there are several people who feel I can be helpful to them in their civic organizations."

He has used his skills in supervision and execution of plans for those agencies. And that involves a lot of work—sometimes the kind most people don't relish—such as fundraising.

#### NO NEED FOR NOSTALGIA

He seems more comfortable in his wood-paneled office in the Haverstraw branch of the Provident Savings and Loan. Dressed in a blue, pinstriped suit with a vest that carries a pack of cigarettes, the white haired man with a strong jaw looks the part of a dapper bank president.

From his desk he can see the stark view of an asphalt parking lot, partially hidden by window coverings. But when Van Wort turns to face a visitor, he can soothe his eyes with the relaxing scenes represented in the prints of folk artist Norman Rockwell that share one wall with a painting of the bank itself.

The pictures tell the story of a bygone America, and a bygone Rockland—where the green playing fields of his youth in Garnerville now are covered with housing complexes, office parks and regional supermarkets.

"I think everyone has a streak of nostalgia in them," he said. "There are a great many additional advantages today that we didn't have as kids. We have modern appliances that make life easier. Now it is possible for everyone to have a vacation, get away, relax. These were things seldom done when I was a boy. I don't think I want to turn the clock back. I don't think I'd turn my life back."

He has seen a great many changes in Rockland, the county in which he was born and reared.

"Growth is the number one difference. The fields we used to play in as kids are now housing developments," he said. The past half-century has seen the introduction of the regional shopping area, growth in business and industry in the county and the development of a bedroom community.

Looking to the future, he sees a variation on that trend.

"I think we'll see a continued growth of small, light manufacturing and corporate office facilities in the county and a lessening of the single-family home. Most residential building will be condo and townhouse," he said. "The great housing boom has passed, although some new housing will be built."

Despite a need for low- and middle-income housing in the county, it probably won't be built because land costs too much for developers to make a profit, he said.

#### ENJOYS BOATING, GOLF

It was the cost of a house that helped to change Van Wort's life.

"I came to Provident to get a mortgage and I got a job," he said. "When I graduated from college I was in retailing. I spent five years in that and decided that wasn't what I wanted for a career. I moved back to Rockland and found a house we liked."

He filled out a mortgage application and the officers were probably impressed with his background, which included a bachelor's degree in business from the highly regarded Wharton School of Finance and Economics at the University of Pennsylvania.

"It just happened they had an opening," he said. "I never had any experience in banking. I had an accounting background. That's what they needed at Provident at the time."

That was 1956. He moved here with his wife Jean, to whom he has been married for 37 years. They raised their four children and now enjoy the pleasures of their first grandchild.

The Van Worts enjoy motorboating on the Hudson. In his spare time, Van Wort also enjoys golfing at Rockland County Club and reading a good detective novel.

He held nearly every job in the bank and fifteen years after he entered its doors, he took command of the president's office.

He still enjoys the work.

"The continuing challenges we have every day" and meeting and helping the public with their financial affairs ranks among his pleasures. "It's not a dull job. There is something new every day."

Those challenges keep him sharp.

"I get my most satisfaction by being presented with tough problems and working them through," he said.

That was a skill he needed to face what he called his biggest challenge—the deregulation of the banking industry.

"While the businesses are still the same (loans, savings) the manner in which you approach them has changed," he said. "The changes in the last three years have been tremendous."

That might be an understatement. Spurred by Congress' move to deregulate the banking industry and years of high inflation that has hurt many banks across the nation, Provident had lost nearly \$1 million in each of 1981 and 1982.

"All of a sudden they (Congress) deregulated interest rates and we had to pay higher rates for our money," he said. "We had to pay higher interest rates to retain savings, which is the basis used for capital on loans."

Provident seems to have met the challenge.

The savings and loan posted a profit of approximately \$218,000 at the end of 1983. Provident had \$258 million in local assets as of the end of last year.

"We've expanded, added new departments and restructured existing areas, (such as

commercial loan and consumer installment loans) to take advantage of new powers we have and survive," he said.

He looks to more challenges in the future from institutions not traditionally thought to be in the banking business. Financial supermarkets, such as Sears and Shearson/American Express are competing for investment dollars.

"I don't know of anyone who has been hurt by that kind of competition," he said. "Competition is not always negative. It keeps you on your toes. It is beneficial to the public."

But he worries about the trend.

"If we get all the financial services concentrated in a few banks, it will not be beneficial to the public. We have to be careful. The small individual bank must be allowed to exist," he said.

Yet he sees those trends developing.

"There has already been a consolidation in the industry. There probably will be more. You'll see nationwide conglomerates in the industry. They're already in existence. They will continue to expand," he said. "To a limited extent, you'll see stock brokers in the banks. Eventually, the banks will be in the insurance business. But all of these will be as subsidiaries. Banks will be primarily for the convenience of the public. The primary business of banks will not change. Savings and loans will be primarily mortgage lenders. All of the other things we can get into will be profit centers to provide the margin to stay in business."

Consumers of the future will see other changes in their local banks.

"With the next generation of people you will see a lot more electronic banking. The kids who are in school today use computers in grammar school. They are used to the machines. They understand it and will not resist it the way some of my generation does," he said. "No home banking effort has been successful yet. People have resisted the machine."

Computer tellers will be introduced to Provident customers in a few years, he said. Other banks in the county have offered the 24-hour machines to their customers.

But some qualities of yesteryear will serve tomorrow's customers and leaders well.

"You need the ability to be able to accept change and alter your thinking to new concepts, ideas and changes. You have to be somewhat progressive. If you are too conservative, you cannot accept the change, you will not make it," he said. "You have to have a good work ethic. A desire to want to achieve."

Those qualities have withstood the test of time and kept Van Wort fresh, while aging prints have turned gray. ●

#### THE DEATH OF PRESIDENT AHMED SEKOU TOURE OF GUINEA

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. DELLUMS. Mr. Speaker, on Monday, March 26, 1984 the world lost a great human being, President Ahmed Sekou Toure of Guinea who died of a heart attack while undergoing surgery at the Cleveland Clinic in Ohio. Ahmed Sekou Toure was President of Guinea from 1958 to the time

of his death. Africa and the world have lost a great freedom fighter and champion of African unity. Sekou Toure's contribution to the struggle against European colonialism is comparable only to that of the late Kwame Nkrumah of Ghana.

As Guinea's first and only President since achieving independence from France in 1958, Sekou Toure championed the struggle to rid the African continent of European colonial domination. He was one of the three founding members of the Organization of African Unity (OAU). President Toure was not only concerned with the struggle taking place on the African continent; he became actively involved in the civil rights movement of the 1950's and 1960's here in the United States.

President Toure, to the time of his death, had been a frequent contributor to the journal, *Black Scholar*, published here in the United States over the past 20 years. The *Black Scholar* journal, edited and published by Robert Chrisman, is based in California. In these articles, President Toure sought to inform Afro Americans of the interrelationship of our struggles to that of the broader struggles taking place on the African Continent. An avowed Pan-Africanist socialist, Sekou Toure not only sought to bring about African unity on the continent, but throughout the world by appealing to Africans wherever they are to be found throughout the world.

President Ahmed Sekou Toure, in short, was the embodiment of Marcus Garvey, W. E. B. DuBois, Malcolm X, Martin Luther King, Jr., and Steve Biko. He was an intellectual giant in his own right whose relentless commitment to the self-determination for the peoples of Africa and the rest of the Third World, made him one of Africa's most controversial and misunderstood contemporary leaders.

His principled, unwavering stance on the issue of African independence brought him into constant confrontation with European colonial designs in Africa. His unflinching commitment to the cause of African unity placed him in the forefront of African political life in the postcolonial era.

The conditions under which he has led the nation and people of Guinea earned criticism from his Western adversaries. Western nations were always quick to critique his style of leadership, often pretending to forget that the very conditions which they criticized him for were in fact their own doings. European colonialism, Toure constantly pointed out when confronted by his adversaries, destroyed Africa's internal synthesis creating the very conditions which earned so much criticism.

In recent years, President Toure was criticized for human rights violations by groups such as Amnesty Interna-

tional. The questions raised in regard to the character and methods of his rule toward the end of his reign, however valid, cannot and must not overshadow his tremendous contribution to the struggle for African independence. I rise to salute this great giant of African unity and peace. If the last President Ahmed Sekou Toure is to be remembered, let him at least be remembered for his contributions to the advancement of the nationalist struggle of continental Africa. ●

#### MY ROLE IN UPHOLDING OUR CONSTITUTION

**HON. DAN SCHAEFER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. SCHAEFER. Mr. Speaker, the Voice of Democracy is the voice of youth; it is refreshing to me to see the ideals of our country reflected in the views of its young citizens over 200 years later. Robert Maynard Hutchins said that:

The death of democracy is not likely to be an assassination from ambush. It will be a slow extinction from apathy, indifference, and undernourishment.

The future of our country lies in the hands of enthusiastic people like Lee-Ann Jourban, the Voice of Democracy winner from my district in Colorado. Mr. Speaker, I submit for publication in its entirety in the CONGRESSIONAL RECORD the text of Lee-Ann's speech; we can be sure, reading her speech, that democracy will not suffer any slow death from apathy or indifference.

#### MY ROLE IN UPHOLDING OUR CONSTITUTION

"We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, and secure the blessings of liberty to ourselves and our prosperity do ordain and establish this constitution for the United States of America." These stirring words from the Preamble of our constitution ushered in a new era in government with the beginnings of what was to become the greatest democratic federal republic in the world. These words are as relevant today as they were in the 1700's. And what is my role in upholding the constitution? First, it is my duty to exercise my right to vote. So many people are apathetic when it comes to exercising this precious right. In the American Revolutionary War thousands of patriots died so that we, today could have the privilege of voting. In so many countries around the world, people are willing to die for their right to vote the sacrifices made by those who brought the constitution into being would cease to be relevant.

A second role that I play in upholding the constitution is the paying of taxes. The running of this vast and complex country depends on each and everyone of us paying taxes. When England once ruled the United States, the cry of the people was, "No taxation without representation," it is therefore incumbent on myself, as well as on everyone else to pay our taxes, since it is

stated in the constitution which is the supreme law of the land. Taxes are necessary to run this powerful country in an orderly and disciplined manner, as well as to aid the nation in social, military and technological projects.

A third duty that I must uphold is the compliance with all the laws that are stated in the United States Constitution. The adherence to the rule of law is most important in building the character and strength of a nation, because without this, there is a breakdown of order which can lead to chaotic conditions. I have to help everyone in my own way live according to the rules and regulations of America. As President John Kennedy said in his remarks on the James Meredith case dealing with defiance of law, "Americans are free to disagree with the law, but not to disobey it, for in a government of laws and not of men, no man, however prominent and powerful, and no mob, no matter how unruly or boisterous is entitled to defy a court of law. If this country should ever reach the point where any man or group of men, by force or threat of force, could long defy the commands of our courts and constitution, then no law would stand free from doubt, no judge would be sure of his writ, and no citizen would be safe from his neighbors." Those words of President Kennedy should be heeded by myself and every other individual in the United States of America. The motto of our Marines is "Semper Fidelis" which is Latin for "Always Faithful" and I would like to recommend that this motto be adopted toward our Flag, our anthem, our constitution, and all that they stand for. ●

#### TAX REFORM AND TAX REDUCTION

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. PAUL. Mr. Speaker, a massive tax revolt is underway in this Nation, and with good reason. An increasing number of Americans are fed up with high taxes and runaway Government spending. Furthermore, one has only to look at the thousands of pages of the Internal Revenue Code or the hundreds of different tax forms to know that something is wrong with our current tax structure. It is a gross understatement to characterize our tax system as unjust, nonproductive, and a disgrace.

Consequently, the tax revolt is gathering momentum. State legislators are being recalled, tax avoidance and tax evasion are increasing, and the underground economy is growing. Estimates are that those Americans who have managed to escape the clutches of the Internal Revenue Service are now responsible for a large portion of our actual national product. This growth in off-the-book economic activity is directly related to the huge tax increases of the past several decades and the invasions of privacy that are part of our tax collection system.

In recent years, the various manifestations of the tax revolt and the

demand for tax reform have captured some attention in the media and among legislators. Yet nothing of substance has been done. Furthermore, the ballooning deficit and massive national debt demonstrate the urgency for taking definitive action.

The time has come for tax reform and tax reduction.

The first step is to enact a 10-percent flat rate income tax proposal such as I have introduced. This legislation is the result of much concentrated effort, undertaken with several important goals in mind. First and foremost, it would reduce revenue to Government. This action is necessary in order to stem the growth of Government and Government spending; only by shutting off the spigot of taxpayers' money can the budget be brought under control and the deficit reduced. Just as oxygen feeds a fire, tax revenues feed the appetites of a gluttonous Congress.

It is important to realize that tax increases have little or no effect on deficits. In the summer of 1982, the leaders in Congress promised to reduce spending by \$3 for every \$1 in tax increases the President would support. The resulting legislation was the Tax Equity and Fiscal Responsibility Act, the largest tax increase in peacetime U.S. history. This bill raised taxes by \$218 billion over 5 years. However, did it make even a dent in the deficit? No, instead of \$3 in spending cuts, Congress increased spending by \$1.25 for every dollar in tax increases, thus exacerbating the deficit problems. That is why tax reduction is essential if spending is to be brought under control and the deficits reduced.

The second reason for supporting a 10-percent flat rate income tax is to simplify the current complicated and onerous income tax collection system. Each year, Americans spend an estimated \$60 billion trying to figure out how to comply with the tax laws. It is disgraceful that Americans must hire tax accountants just to figure out what they owe. A flat rate tax could be filed on one page and would require that individuals divulge much less personal information to the Government.

Another reason for a 10-percent flat rate tax reform is to rid our Nation of the injustice and inequity of graduated rates. The graduated income tax does violence to the principle of equal treatment before the law. Instead, it applies different tax rates to different citizens. A flat rate tax would spread the burden more evenly among taxpayers. As the 19th century economist J. R. McCulloch warned:

The moment you abandon the cardinal principle of exacting from all individuals the same proportion of their income or of their property, you are at sea without a rudder or compass, and there is no amount of injustice and folly you may not commit.

We have, indeed, committed much injustice and folly since 1913, as tax rates have gone as high as 91 percent.

Another important reason for replacing our graduated rates with a flat rate is that it eliminates the incentive for Congress to inflate taxpayers into higher tax brackets through so-called bracket creep. Government has reaped a windfall in additional revenue by destroying the value of the dollar. Taxpayers who manage to get pay increases that keep pace with the cost-of-living are pushed into higher tax brackets and end up with a reduced after-tax income. A 10-percent flat rate income tax would end bracket creep.

Some argue that a 10-percent rate would benefit the wealthy. In fact, this charge lacks merit. Certainly any cut in tax rates benefits those in the highest marginal tax brackets. However, under a 10-percent rate, many individuals who currently escape paying taxes by using tax deductions and shelters would begin to pay, while those in the middle class would experience much-needed relief. Certainly the very wealthy would benefit less than middle-income Americans from a 10-percent flat rate.

The sole purpose of a system of tax collection should be to raise revenue for the legitimate functions of Government. The tax system should not be used to redirect business activity or redistribute the property of the people. In fact, the distortion of economic activity and destruction of incentive caused by a graduated tax system with high marginal rates and myriad deductions, credits, and exemptions, cost the American people billions of dollars in lost jobs and lower living standards.

The typical American worker pays more in taxes than he does for food, clothing, medical care or any other expense. Therefore, it is important that the 10-percent rate be viewed as a ceiling on the amount Government can take from any one taxpayer. Certainly a lower rate would be preferable, but Americans must never again be forced to give Government more than one-tenth of what they earn. Unfortunately, some flat rate tax proposals would actually increase revenue to Government so that it can continue its spend-thrift ways at the taxpayers' expense.

Some charge that a 10-percent rate is too low to fund Government at its current level. In fact, this is one of the positive aspects of such a proposal. Almost everyone agrees that Government spending is too high; a reduction in revenue to Government would force a spending reduction, in order to prevent an explosion in the deficit. A 10-percent flat rate tax proposal should be combined with across-the-board spending reductions, a balanced budget requirement, and an end to printing press money.

Before genuine tax reform and reduction can be achieved, the American people must decide what type of Government they want. If our taxes are too high, it is because the Government is too large. The Federal Government is currently funding many activities that have no constitutional justification. For example, a large proportion of the defense budget goes to subsidize the defense of other nations; the President's 1985 budget request contained a 42-percent increase in foreign aid; and direct transfer payments to individuals, which now constitute 42 percent of the Federal budget, will cost the American taxpayers over \$440 billion in the next fiscal year. There is no constitutional warrant for such massive redistribution of wealth.

I hope my colleagues will join me and vast numbers of the American people in supporting genuine tax reduction. There is no need for an inquisitorial tax collection agency that relies on intimidation and duress to collect taxes; there is no need to hire tax accountants and lawyers to figure out one's taxes. Most important, a 10-percent tax rate would mean a reduction in the confiscatory burden of taxes which threatens the liberty of the American people. To the extent that individuals retain a larger portion of their earnings, the economy will experience greater productivity and a higher standard of living—for all.

Certainly a free and decent society, such as ours is meant to be, can begin the process of restoring limits on the power to tax. ●

#### OUR IMPROVING ECONOMY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. GILMAN. Mr. Speaker, it is indeed a pleasure to note that our Nation's economy is recovering much more rapidly than had been expected. The pessimists and critics of yesterday are now muffled by today's surge. There are some who still criticize current economic policies, but many of these same critics are the ones who orchestrated the unsuccessful policies of the past. All too often criticism is more political than constructive. A good look at present statistics support an optimistic outlook.

The inflation rate has continued to drop from a high of 13.3 percent in 1979 to a low of 3.8 percent in 1983. Since the present administration implemented its economic policies, our inflation rate has continued to fall. The outlook for 1984 through 1988 projects an inflation rate of no more than 5 percent. This rosy forecast provides the consumer with more buying

power per dollar than at any previous time since 1972.

Low inflation spurs economic growth. The economy grew at an inflation adjusted 6.1 percent between the fourth quarter of 1982 and the fourth quarter of 1983. This was the largest growth since 1972, when the economy grew 7 percent. The gross national product (GNP) was 6.1 percent, up from the last administration's GNP of minus 0.6 percent. Real GNP rose 3.5 percent in 1983 while the index of leading indicators increased a moderate 0.6 percent. Productivity has also surged 3.1 percent in 1983.

New American automobile sales increased an average of 31 percent over the last year. General Motors sales rose 35.4 percent; Ford was up 51.7 percent, and Chrysler improved sales by 47.3 percent over last year. Electronic sales soared, capital spending increased 9.4 percent, and personal spending also grew 6.7 percent in 1983. Moreover, personal income rose 1.1 percent in January 1984 while business investment spending rose at a rate of 22.3 percent.

The resurgence of housing sales also reflects the good economic news. In January 1984, 1.92 million housing units began construction—an increase of 15 percent over December's rate of 1.66 million—and the best housing starts report since 1978. The 1983 housing sales increased 51.7 percent from the 1982 level. Americans are spending their money and investing in new homes, thereby helping themselves and our economy.

Unemployment, although still too high, has dropped significantly. The average annual rate for 1983 was the lowest level in more than 2 years. Unemployment was down to 8.2 percent in December 1983, 0.5 percent lower than October 1983 and 2.5 percent lower than the previous December. This steady drop has continued into the new year when in February of 1984 civilian unemployment fell to 7.8 percent.

Since November 1982, civilian employment has grown 3.9 percent—the best growth since 1950. In December 1983 a record 102.9 million Americans were at work. Black unemployment has also decreased 6.6 percent since December 1983, although it too has plenty of room for improvement.

All of these rosy figures, although sure signs of an economic recovery, are tied to the resolution of the budget deficit. The deficit problem must be addressed, and President Reagan has under taken steps to act on this vital issue. The President's bipartisan commission on the deficit is a sound and serious attempt to rectify differences in policy and direction on the deficit. So, too, the President's budget reduction down payment of \$100 billion over 3 years deserves serious consideration.

Since the deficit is a serious matter, we must act together to counter the red ink rather than to place blame. For if we do not take measures in hand now, we all may lose later. Through cordial, frank, and dedicated diplomacy, I am confident that we can achieve bipartisan support for a deficit reduction plan.

Truly, when all is considered, America is well on the way to a full recovery. Our economy is steadily improving, confidence is high, and all leading indicators show optimism for the future. Although the job is not yet finished, the economic news is encouraging. I find it healthy and important to speak positively when policies are working and worthwhile. Criticism has no value unless sound, viable alternatives are offered. The facts show that the economy has recovered substantially. Let us be thankful and appreciative for this development while at the same time continuing our work to improve the many facets of our Nation's economy.●

#### RELIEF FOR INDIVIDUALS INJURED BY HAZARDOUS WASTE

**HON. JAMES J. FLORIO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. FLORIO. Mr. Speaker, a recent editorial in the Washington Post contained some thoughtful comments on the Superfund reauthorization bill, H.R. 4813, which I have introduced. The editorial suggested that the Congress should give careful attention to crafting well-designed provisions for compensating those injured by exposure to hazardous substances.

For example, the Post suggests that if the standards of proof for any such system are too weak, the system could create unwarranted obligations for both industry and the Government. This is absolutely correct and we must guard carefully against liability which is too broad. There are too many examples of well-intentioned programs which have cost more than anyone thought they would because of open ended liability. The standard under H.R. 4813 requires that injured individuals prove that it is reasonably likely that their exposure to a hazardous substance could have "caused or significantly contributed" to the injury they suffered. To meet this burden of proof, individuals must be able to prove, first, for how long and how much they were exposed to hazardous substances, and, second, whether the chemical at issue can cause the illness they suffered.

After this burden is met, there are only limited damages available under the administrative system. The purpose of the administrative system is to

get people through emergencies. For adequate compensation they must go elsewhere.

An administrative system to deal with emergencies must have the right balance. Those of us sponsoring this legislation will continue in our efforts to set up a system with the proper balance because we cannot ignore the plight of many in this country who have been harmed by exposure to hazardous wastes.

The Post editorial follows.

#### RUNAWAY COMPENSATION

Medical science keeps piling up evidence that various chemical substances may, in sufficient quantity, produce toxic effects in humans. Most of these threats are not large—far smaller, for example, than the known effects of poor diet and of smoking on human health. Still, the cumulative effect of long-term exposure to certain chemicals warrants strenuous efforts to limit further exposure. How far, however, is the society prepared to go in requiring compensation for people exposed in the past to toxic substances—especially when the effect of that exposure is far from clear?

Because the financial and legal ramifications of this issue are enormous, far more attention ought to be paid to the victim compensation provisions of the Superfund hazardous waste cleanup amendments now headed for markup in a House subcommittee. The bill, sponsored by Rep. James Florio and 22 others, sets up an administrative system that would pay lost wages and medical costs to people who can establish that there is a "reasonable likelihood" that toxic substance exposure contributed "significantly" to disability or death.

For example, claimants could show that they were exposed to a certain chemical in some manner for a certain period of time and provide evidence (including, according to the bill, studies with very limited sample sizes) that "tends to establish" that such exposure can produce disabilities. It would then be up to the Environmental Protection Agency to prove that the exposure did not contribute significantly to their disability. In the administrative claim proceedings (although not in the separate tort actions that claimants could also file in federal or state courts for additional damage payments and legal costs), businesses alleged to have caused the exposure would not be allowed to participate or provide contrary evidence.

These relatively weak standards of proof could create potentially enormous obligations for both industry and the government. (The bill limits reimbursements to part of the tax-based Superfund, but it is hard to imagine that claims would be denied to equally eligible parties when that small fund was exhausted.)

But there are larger, ethical questions involved as well. Suppose that it could be established beyond a reasonable doubt that living near a chemical dump raised the risk of some form of cancer by, say, 3 percent. That means that for every 103 people in the community who got the disease, 100 would have gotten it anyway. Is it fair for the taxpayer to make large payments to every one of the 103—since there is no way of telling which 3 in the group owe their cancer to the dump—while people in other communities with the same disease receive no compensation at all? With plaintiffs' lawyers poised to file hundreds, perhaps thousands, of suits claiming chemical exposure, Congress needs to address this issue carefully.●

#### STANDING TALL ON JERUSALEM

**HON. ROBERT A. BORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. BORSKI. Mr. Speaker, our colleague, TOM LANTOS, has written a cogent article on why we should move our embassy in Israel to Jerusalem.

I encourage all of us to read our colleague's article from the Los Angeles Times:

[From the Los Angeles Times, Mar. 21, 1984]

#### LET'S STAND TALL AND MOVE OUR EMBASSY TO JERUSALEM

(By Tom Lantos)

The United States maintains diplomatic relations with 136 nations. In 135 of these countries our embassy is located in the capital. As a routine matter, when a capital is moved we move our embassy. When the government of Brazil decided to move from Rio de Janeiro to Brasilia, we moved our embassy to the new capital. And when the government of Saudi Arabia recently indicated that it would like to have embassies in Riyadh, we followed traditional diplomatic practice and began building ours in Riyadh.

This is as it should be: An embassy should be in the same city as the government to which it is accredited. In one case, however, our embassy is not located in the capital, despite the expressed desire of the host country that this be done. Although Jerusalem is the capital of Israel, our embassy is in Tel Aviv.

In a futile attempt to curry favor with Arab countries, the State Department has refused to move our embassy to Jerusalem and is vigorously opposing efforts in Congress to do away with this particular form of appeasement. However, refusal to move the embassy to Jerusalem has not accomplished this purpose. Prostituting our principles only backfires.

The argument that the United States should not move its embassy to Jerusalem because the United Nations adopted a resolution calling on member states to remove their embassies from that city is a farce. After the invasion of Grenada, when the United Nations condemned the United States and called on us to remove our troops, the State Department ignored and denounced the resolution. Why should we observe a resolution that requires us to violate a universal principle of diplomatic practice and offend our only democratic ally in the Middle East?

Jerusalem has been the capital of Israel since 1949. Even Harold Saunders, assistant secretary of state for the Near East during the Carter Administration and an avowed opponent of moving our embassy to Jerusalem, recently said that "two Presidents of the United States, five secretaries of state and each American ambassador have done business with the government of Israel at the seat of that government in West Jerusalem." No less a figure than Egyptian President Anwar Sadat addressed the Israeli Knesset in Jerusalem in 1977.

Moving the American Embassy to West Jerusalem would not affect any of the issues surrounding the peaceful resolution of the Arab-Israeli conflict. West Jerusalem has been an integral part of Israel since 1949:

This has been recognized by all nations with which Israel maintains diplomatic relations.

Consider the example of Berlin. East Germany claims East Berlin as an integral part of its territory, but the United States does not recognize this claim and maintains that East Berlin and West Berlin have a unique status guaranteed by the four occupying powers. Nevertheless, when we established diplomatic relations with East Germany we located our embassy in East Berlin.

At that time the State Department affirmed: "The United States government proceeds on the basis that the locations and functions of an American embassy in East Berlin, where it will be convenient to the government offices with which it will deal, will not affect the special legal status of the Berlin area."

If we are broad-minded enough to observe this rational principle in dealing with a communist dictatorship, should we not follow that same rational principle in dealing with a democratic ally?

Likewise, the special status of Jerusalem as a holy city should not be an issue. Unlike the Jordanian government during its stewardship, the Israeli government welcomes people of all religions to Jerusalem. As Sadat found during his visit, Muslims are free to pray at the al Aqsa mosque and any other Muslim religious site. During the 19 years Jordanian rule, Jews were denied access to the Western Wall, their holiest of shrines, and the area around it was allowed to deteriorate into a slum. Even Christian and Muslim citizens of Israel were not allowed to visit any of their holy places.

Support for the House legislation to move our embassy to Jerusalem has been thoroughly bipartisan. A Senate bill introduced by Daniel Patrick Moynihan (D-N.Y.) enjoys the same bipartisan support. House Republican leaders Trent Lott of Mississippi and Jack Kemp of New York are among the more than 200 current co-sponsors of the House bill; my Republican co-author is Rep. Benjamin A. Gilman of New York. My colleagues Tony Coelho (D-Merced) and Guy Vander Jagt (R-Mich.)—the chairmen, respectively, of the Democratic and Republican Congressional Campaign Committees—are also co-sponsoring the bill. Support for this measure covers the entire political spectrum.

U.S. foreign policy has been the most successful when it has been rooted in reality. Failure has followed when our policy has been founded on fiction. For years we maintained the fiction that the People's Republic of China did not exist. The only beneficiary of that policy was the Soviet Union. One of the great bipartisan achievements of recent foreign policy was the opening of a U.S. embassy in Peking. Abandoning the fiction that the People's Republic did not exist strengthened the American position in Asia and throughout the world.

"Standing tall"—a phrase that the President likes to use—has many meanings. In fact, its only real meaning is standing for principle. We will be respected abroad only if we adhere to our principles; policies based on appeasement cannot succeed. We should abandon the hypocrisy of keeping our embassy out of Israel's capital.

It is time to stand tall—in Jerusalem. ●

## THE HUMAN DEFICIT IN SOCIAL SERVICES

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. HAWKINS. Mr. Speaker, the act of establishing and reordering the economic goals of this Nation should not be taken lightly. For if we commit ourselves to the process, and are serious in our actions, we will develop economic goals which will ultimately foster prosperity and economic growth; create jobs; restrain inflationary pressures; and facilitate an economic environment wherein access to equal opportunities is not viewed as reverse discrimination.

Although some of my colleagues may question the legitimacy of setting goals to achieve full employment, the process outlined in the Humphrey-Hawkins bill does work toward the best interests of this Nation. The establishment and reordering of our national economic goals puts this Nation on a chosen course—a course of growth and expansion of employment opportunities. But establishing and reordering our national economic goals must not be done without examining the social service concerns of this great Nation.

Our economic goals must be tempered and debated within the confines of the real world. Global abstractions on economic models and their relationship to GNP and trade deficits, along with other important economic variables, must not solely dictate this Nation's economic goals and policy directions. Abstractions and observations that are not grounded in reality, as well as balanced against long-term goals and short-term realities, will ultimately increase the pain and suffering of most Americans whose futures we are pledged to protect and defend.

America's strength does not solely depend on her ability to develop and bear arms. America's strength depends jointly on her capacity to lift the tide which through economic prosperity generates jobs, and provides equitable access to opportunities. More importantly, America's strength depends on America's longstanding capacity and compassion to assist those in our society who must fend off the long-term devastation of poverty, with little or no economic strength or social standing of their own. Poverty in both the long and short term must be dealt with or we run the risk of condemning countless precious lives to ultimate devastation. Thus we imperil the strength of our Nation by stockpiling potential human genius if we do not order our economic goals to address social service needs.

Unfortunately, social service concerns such as adequate access to qual-

ity health care, have not received priority attention under the Reagan administration. In fact, social services programs have been the prime target of budget reductions. Since this administration took office social services programs have been scuttled, leaving the most vulnerable American—children and the elderly, without adequate access to social services and quality health care.

More specifically, programs for the poor would bear a highly disproportionate share of the cuts contained in the new Reagan administration budget. Forty percent of the budget cuts in domestic programs targeted on low-income individuals and families, despite the fact that these programs make up only 19 percent of the domestic budget, have already been cut far more deeply than any other parts of the budget.

Based on the administration's own budget documents, the appropriations for low-income programs that are not entitlements would be reduced 21 percent below the levels that the budget itself says are necessary to maintain current service, adjusted for inflation. When low-income entitlement programs are included the overall reductions in appropriations for all low-income programs would be 10 percent below current services levels.

Among the most severe cuts in the budget would be cuts occurring in fiscal year 1984, in the special supplemental food program for women, infants, and children; the WIC program. This program provides nutrition supplements to low-income pregnant women, infants, and children which are determined to be at nutritional and medical risk. According to the Center on Budget and Policy Priorities, a nonprofit organization based here in Washington, more than 500,000 women, infants, and children would have to be terminated from the program this spring because of inadequate supplemental appropriations by the administration. Programs such as Head Start, job training, compensatory education for disadvantaged children, and low-income energy assistance will also be drastically cut. These programs, along with low-income housing and financial aid for needy students, would receive reductions below the appropriations level needed to maintain current services levels.

Hardest hit would be the legal services program, the community services block grant, the work incentive program and supplemental educational opportunity grants. These programs would all be abolished.

The economic policies presently being followed by this administration have extracted some inflationary pressures from the economy. But this has been accomplished with a great deal of sacrifices and pain being borne by the

many poor and hard working citizens across this country. This has often occurred at too high a personal cost.

This year as we consider establishing economic goals, let us move forward into the process with an eye toward developing policies that will balance efforts to decrease monetary deficits, with efforts to limit potential human deficits. I caution my colleagues that we must take the task of establishing our Nation's economic goals seriously. For if we forfeit the opportunity to establish balanced economic goals that are sensitive to the social service concerns of this Nation, we will definitely face irreversible human deficits in the not too distant future. The choice is ours to make.●

#### ACID RAIN REFORM LEGISLATION

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. GILMAN. Mr. Speaker, were a blight to strike, destroying in its wake hundreds of trees, thousands of lakes, and threatening many many more acres of land, would not both farmer and business person, lawmaker and corporation, be united in our efforts to stop such a terrible ill? In that same spirit I call upon my colleagues to join with me in supporting H.R. 3400, the Acid Rain Deposition and Control Act of 1983.

Throughout the United States the ravages of acid precipitation are becoming increasingly apparent. Stagnant lakes where fish once thrived and forests where the branches no longer create a ceiling because damage to the vegetation is so extensive, can be found from coast to coast, crystalizing the fact that this is not simply a regional problem. While I would like to take this opportunity to commend President Reagan on his recent pledge to increase the Federal Government's efforts with regard to acid rain research, I feel strongly that we in Congress must also take an active part in responding to the acid rain problem. Accordingly I have cosponsored H.R. 3400.

H.R. 3400 provides a national solution to this countrywide problem by seeking a total sulfur dioxide and nitrogen oxide emission reduction of 14 million tons. This end would be achieved without threatening jobs in the coal industry or imposing escalating utility costs on select portions of the country.

This legislation acts affirmatively to arrest the problem by requiring:

First, the 50 utility plants among those that burn medium- and high-sulfur coal, and which are the largest emitters of sulfur dioxide, to install

scrubbers to reduce these emissions by 7 million tons by 1990;

Second, the 48 contiguous States to make an additional 3 million-ton reduction of sulfur dioxide in accordance with the proportion of each State's emissions; and

Third, the reduction of the new source performance standard (NSPS) for stationary sources of nitrogen oxide so that an additional 1.5 million tons reduction in this emission can be achieved by 1995.

The beautiful and majestic Hudson River winds its way through the historic Mid-Hudson Valley, a portion of which I am proud to represent. There is not a constituent in my district, even those whose homes and businesses are miles from the river's banks, who do not feel that the Hudson profoundly affects their lives. Rising on the west bank of the Hudson are the lush Palisades and Bear Mountain State Park where thousands of visitors come from all over America to walk along the paths and enjoy the splendid panorama.

These special places and others like them all across this Nation must be protected and preserved, for one fact from the debate remains irrefutable; many of the effects of acid rain are irreversible. In upstate New York, it has been found that the fish populations of 212 lakes and streams have been irrevocably eliminated by acid rain. We cannot allow ourselves to dismiss the prevalent danger of acid rain any longer, or these rivers, lakes, forests, and fields, as we now know them, may simply cease to exist.

The Subcommittee on Health and the Environment under the direction of its distinguished chairman and bill sponsor, HENRY WAXMAN, has held acid rain field hearings throughout the United States in New York, Minnesota, Indiana, Ohio, and Illinois. The hearing transcripts reveal that citizens in all of these regions, environmentalists and State government officials alike, are calling upon Congress to implement a national control strategy.

As the Health Subcommittee holds its hearings here in Washington, D.C., I ask my fellow colleagues to take a close look at this legislation. If you are not already a supporter, I invite you to join us in our effort to arrest and control acid deposition, so that future generations may be allowed to enjoy our riches—the forests, lakes, and fields, that we may have so carelessly squandered.●

#### TWO-YEAR COLLEGES OFFER HAVEN FOR MANY HISPANIC STUDENTS

**HON. RONALD D. COLEMAN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. COLEMAN of Texas. Mr. Speaker, the Chronicle of Higher Education recently profiled the vital role played by the El Paso Community College in serving the higher education needs of a predominantly Hispanic area. Nationwide, over 70 percent of all Hispanics in higher education are in community colleges, and these provide an important step for many students who go on to 4-year institutions. The Chronicle highlights the story of Mr. Alfred Corchado, the editor of the highly respected student newspaper, *El Conquistador*. Mr. Corchado attributes his own personal success to the El Paso Community College, and the article, which follows, depicts the college's contribution to him and countless other students.

#### TWO-YEAR COLLEGES OFFER HAVEN FOR MANY HISPANIC STUDENTS

(By Charles S. Farrell)

Only a few years ago, Alfredo Corchado was a high-school dropout who had resigned himself to a future in the fields, picking crops as his parents had and as their parents had before them.

Now the El Paso County Community College student envisions a future in a different field—journalism.

It is the community college that gave Mr. Corchado the chance and the will to succeed. At one time, he considered attending the University of Texas in El Paso, but he balked because he found the place too imposing. "It is just enormous," he says. "I felt I wasn't prepared. Here, it is more like a high school. I got the basics and gained confidence."

Indeed, he now has so much confidence that he takes courses at both the community college and the university.

Two-year colleges, like the one here, have become havens for many Hispanics who choose to attend college. In 1980, the last year for which figures were available, 54 percent of Hispanic college students were attending two-year institutions—compared to 36 percent of white college students.

But many Hispanic educators complain that too many Hispanics are trapped in two-year institutions because they never get the encouragement, support, and courses they need to go on to four-year institutions.

Raphael J. Magallan, executive director of the Hispanic Higher Education Coalition, an organization that advocates increased higher-education opportunities for Hispanics, says many Hispanics limit themselves to junior colleges because they receive poor advice when they are in high school.

Once in a two-year institution, many Hispanic students remain confused about additional opportunities because they continue to get poor counseling, Mr. Magallan says. "Community colleges are the least-well-funded institutions," he says, "so they generally don't have the staff to deal appropriately with counseling." As a result, many

Hispanics drop out even before completing junior college.

Mr. Magallon adds that community colleges generally suffer from an inferiority complex, making Hispanic students less sure of their abilities.

"They slack off from high expectations," he says.

Robert E. Shepack, president of El Paso County Community College, says that in view of the projected growth in the Hispanic population over the next decade and of the low percentage of Hispanics who go to college, an increase is needed in the number of Hispanics going on from two-year to four-year institutions.

"It is up to institutions like us to make it happen," he adds.

The college, founded in 1969, has labored since its beginning to develop a sound scholastic reputation, Mr. Shepack says, and it has not been easy. Because of the high concentration of Hispanic students, now 63 per cent of the total three campus population of 21,000, the college was dubbed "Taco Tech."

Mr. Shepack bristles at the derogatory label. "Community colleges are always viewed as second-class institutions—second-class citizens," he says. "People didn't understand our purpose, and most universities still don't. We are here for community service and community development."

Richard A. Drum, dean of instructional resources, says the college has rapidly gained respect and acceptance because of "a commitment to being the kind of college this community needs. We are actively involved in the needs of the community in terms of economic development and social development. We work with and for the needs of the community."

It is a community that is 63 per cent Hispanic and increasingly hungry for education, Mr. Drum says, but it is also a community that historically has been denied or has not sought education opportunities. The community college, he says, due to less strict admissions requirements than four-year institutions, as well as a lower cost, is for many Hispanic students the only avenue to a career.

#### NOT SO MUCH AN IVORY TOWER

The community college offers a more practical avenue than do most four-year institutions, which are more research-oriented, says Carmen L. Delgado, coordinator of instructional development services. "This is not so much an ivory-tower type institution," she says. "We're technology-oriented. We're designed to meet changes in technology and make programs relevant to students' needs."

"For Hispanics, it is basically a matter of survival," she adds. "But that doesn't mean we don't place a value on education. We do value education, but the point is, we Hispanics have to survive."

The college offers about 100 vocational programs. But it is also striving to improve its academic offerings while maintaining a setting that is culturally comfortable and supportive for Hispanics.

"We have to be a nurturing institution," Mr. Shepack says. "Because the more this college helps, the more likely it is that people will be interested in education and the more likely they are to encourage others to go here."

That is important, he says, because college remains a first-generation experience for most Hispanics. "We have to build an interest that will be sustained. And we have to be sympathetic to the needs of those who want to go on."

The college's sympathy to those needs has encouraged students like Mr. Corchado, who is editor of the student newspaper, *El Conquistador*.

"Parents of white students have always encouraged their children, but Hispanic parents have not, so we've been on our own and isolated," he says. "A lot of Hispanics would simply drop out, but this community college offers the basic confidence to go on and to sort of come out of a shell."

He adds that he and many others, given Hispanics' unfamiliarity with college, would have been lost going to large universities, assuming they could have got in. Many Hispanic students, he noted, start at the University of Texas at El Paso but transfer to the community college.

Going to a two-year college may not be as prestigious as attending a four-year institution, he adds, but "at least we're proving that we're not dumb. We're proving we can be educated."

#### AN IDEA OF WHAT TO EXPECT

Angelica Hernandez, a second-year business-administration major, says the community college gave her "an idea of what to expect in college, and now I know more about what I want."

Ms. Hernandez, who hails from a small town 50 miles from El Paso, says that if she had gone first to the university, "the first semester would have been enough for me. I would have felt uncomfortable."

Her apprehension is based, in part, on a belief that her cultural identity might suffer. "In high school," she says, "whites made me feel very low. I felt that at the university they would make me feel that I had to change, that that would be the only way I could get somewhere."

The community college "has put more pride in me," she says. "I'm encouraged not to change, but to also know I can make it in the white world. They've given me the preparation for a white environment."

Ms. Hernandez now says she has the confidence to go on to the university's El Paso campus, an institution that has itself grown more sensitive to the needs of Hispanics. About 48 percent of all students at the university are Hispanics.

The attitudes of students like Mr. Corchado and Ms. Hernandez indicate that there is increased Hispanic interest in four-year institutions, but many barriers still remain.

Carlos Aguilar, an instructor in economics at the college, says students are better qualified and less fearful than they used to be. But he adds, "While they seem to try harder, many still don't know what they want to do. There are lingering self doubts when they are faced with alternatives to the community college. One thing we have to do is diminish that awe of the university. Many students still tell me that UTEP [the University of Texas at El Paso] scares them because of the swim-on-your-own attitude. Lack of confidence continues to be a drawback for many Hispanic students, and many still settle just for the community college."

Community colleges can eliminate some of the educational barriers that prevent Hispanics from enjoying full access to higher education, he says, but the students themselves will have to eliminate the barriers caused by their own perceptions of college.

But the barrier that Hispanics complain about most is one that is imposed by four-year institutions.

The higher admissions requirements of four-year institutions deny most Hispanic students initial access, they say, and then

block junior-college transfers by limiting the number of credits that can be transferred.

"The problem is not a community-college problem; it is a university problem," says Mr. Shepack. "Universities have to develop enveloping curriculums so they can recognize what we do but still get what they want. And they have to be less imposing. They blame us for their not having more Hispanic students, but they are the ones who refuse to change."

"It is too bad the universities don't do more to serve Hispanics and accommodate their uniqueness. Why do they have to fit everybody into the same mold? They have no right to perpetuate a system that denies an equal opportunity for an education."

#### MAKING IT EASIER TO TRANSFER

In the last few years, the El Paso community college has worked closely with the university to make it easier for students to transfer, and many students take classes at both institutions simultaneously. Part of the problem has been that students have taken community-college courses that were never intended to offer credit that could be transferred.

But a parallel program now allows students at the community college to major in 40 areas acceptable for transfer to the university.

That is the type of alliance that Mr. Magallon says more two-year and four-year institutions must forge. "Only in a few places in the country are there well-thought-out programs that follow through a matriculation," he says. "More attention from institutions, particularly universities, is needed, because we're not moving an appropriate number of Hispanic students into the track of four-year institutions."

Improved course transferability is essential, Mr. Magallon says, because many Hispanic students with the desire to go to four-year institutions find themselves on a treadmill as they try to accumulate the needed credits. "It is like a mouse in a maze," he says. "After a while they get frustrated."

Four-year institutions also must work on diminishing their imposing perception, he says. "They have to demystify their bigness, so that students will have the opinion that if they do well as community colleges they can do well elsewhere," he says.

But many community colleges continue to have academic shortcomings, Mr. Magallon says. "They have to give more language skills and skills in math and science and urge students to move on."

As the U.S. Hispanic population increases, the role of the community college will become increasingly important, he says. "What happens in community colleges, given the current enrollments, could affect the education-participation rates of the future. They have to force partnerships that will improve the condition of education for Hispanics, because they already play a critical role for Hispanics today." ●

#### BAD REASONING BY TV NETWORKS

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. SWIFT. Mr. Speaker, recently, this excellent editorial appeared in the

Ferndale Record, a newspaper in my district in Washington State. I am pleased that it gives favorable mention to the resolution I have introduced—along with the gentleman from California (Mr. THOMAS)—with regard to early projections of election returns, but most important is the point it makes about a fundamental lack of consistency on the part of the television networks.

As this editorial accurately observes, there are many instances, including all kinds of sports events, in which the networks delay broadcasting information. And yet, when it comes to one of the most fundamental processes of our democracy—our elections—they piously insist that there is some journalistic imperative dictating that they cannot wait. They have no choice but to rush onto the air and announce who they believe has won, even before all American voters have had an opportunity to cast their ballots.

**BAD REASONING BY TV NETWORKS**  
(By Sonja Nelson)

The TV lords work in wondrous ways. On the one hand those at ABC, the official Olympic Games network, pretended that Rosalynn Sumners did not skate in her final competition until prime time, even though the results of the Gold Medal skate had been reported all day over the radio. And on the other hand the national networks have refused to hold off on election day projections because of a difference in time zone.

In the telecasting of the Olympics, reality did not concern ABC. But when it comes to the elections they say they must adhere to reality. The only conclusion one can draw is that the through line of these decisions is not reality but their pocketbook.

But perhaps the networks have wrongly assumed what its audience wants in these situations. To pretend that an Olympic competition is live and that no one in the audience already knows the outcome is to assume that the audience cares nothing about reality.

The Olympic Games are for many people more than a little entertainment on TV. It is news, and to assume that the news has not happened when, in fact, it has is to belittle the audience. The action of the network also denigrated the Olympic Games themselves, turning them into some kind of a game show.

Rosalynn Sumners, along with Debbie Armstrong, Phil and Steve Mahre and Bill Johnson (and all the other non-Washington medal winners) are much more than entertainers. They are exciting proof that Americans can achieve excellence and can excel in competition against other talented people in the world.

In spite of the fact that most of the American athletes say they do it for themselves, they elicit feelings of patriotism in a lot of viewers in an era when patriotism is hard to come by.

ABC insisted on distorting this reality, whose accurate reporting has benefit to the country, but the networks insist on "accurate" reporting during the election, when it obviously does damage to the democratic process.

They want to tell the West Coast how the East Coast is voting as quickly as a poll can be made of voters leaving the voting booths in New York and other eastern states.

West Coast voters listening to the polls may well decide not to vote or may change their votes to go with a winner. In the 1980 election, results were projected at 5:15 PST.

Rep. Al Swift has the right idea when he introduced a resolution calling on broadcasters to "voluntarily refrain from projecting election results before the polls close."

Neither Swift nor other supporters of the resolution want to lay down legal and binding restrictions on the media. But they would like to see a voluntary restraint on election poll projections which hurt the West Coast most of all.

If the networks can tell its audience that Rosalynn Sumners is doing something now that she actually finished doing hours before, they should be able to refrain from telling half its audience what they think the other half did in the voting booth a few hours before.

I would also like to observe another instance in which one of the networks has decided that delay is alright after all. On "Super Tuesday," that network had its election wrap-up at 10 p.m. Subsequently, however, it was reported that the ratings for that show were so low that the network has gone back to having its wrap-up at 11:30 p.m., along with the other two networks. So much for journalistic imperatives.●

**REAGAN: BEST SINCE FDR**

**HON. PHILIP M. CRANE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. PHILIP M. CRANE. Mr. Speaker, our country faced a loss in our national pride both at home and abroad during the past few administrations. The basic concepts upon which our Nation is based, liberty and free enterprise, were being eroded away. President Reagan has reversed these trends, bringing a new sense of order and humanity back to our Government.

In the early 1960's the Supreme Court rendered a series of opinions which had the effect of banning prayer in the public schools of our Nation. President Reagan has led the effort to bring prayer back into our public schools, and has challenged the erosion of our national spirit.

Mr. Thomas F. Roeser has written an outstanding editorial in the Chicago Sun-Times on the subject of our President and his efforts to bring humanism back into Government. I hope that my colleagues will take a few moments to read it.

The editorial follows:

[From the Chicago Sun-Times, Feb. 13, 1984]

**RONALD REAGAN: GREATEST PRESIDENT SINCE FDR**

(By Thomas F. Roeser)

The night the tipsy, middle-aged ex-actor and playwright consumed too much Rhenish wine and pickled herrings, following which he strolled, coatless, from stifling pub into the chill air of April, 1616, where he

caught a fatal cold, is, for many, the cresting-point of English literature.

When he died, William Shakespeare was regarded as merely a successful dramatist, but no eternal star blazing in the firmament. It fell to Ben Jonson to instruct all England that his old drinking partner had surpassed Sophocles in tragedy, Aristophanes in comedy.

Not that Shakespeare had been perfect. Adoring actors, Jonson recalled, had boasted that Shakespeare had never blotted a line. "Would that he had blotted a thousand," growled Ben. Nevertheless for all the defects, said he, Shakespeare belonged not just to his time, but to the ages.

As great presidents must also be dramatists (designing scenarios to meet their political needs rather than accepting ones that events impose), Ronald Reagan will someday be called the greatest chief executive since the modern model to whom all predecessors must be compared, Franklin D. Roosevelt.

The comparison is not as extravagant as it seems, but for which I shall assuredly be lashed by liberal essayists in this place.

Roosevelt and Reagan are identical in that as dramatists they instilled a certainty that offset many blotted lines. "There is nothing to fear," proclaimed Roosevelt. "There is a new feeling on the part of the American people," Reagan declared, "a belief in themselves and their country."

Though touted as a pragmatist with no fixed beliefs, it was the certainty ingrained by Groton, its headmaster Endicott Peabody, and the Episcopal vestry that emboldened FDR to save the capitalistic system and Western civilization in the two most audacious gambles of all time.

He rescued capitalism from the scrap heap of disillusionment by contriving a corporate state; he won his crown, however, by maneuvering us into a war—secretly, yes even duplicitously, but necessarily—which saved Western civilization.

Reagan's first task is accomplished. He restored presidential prestige after debacles by Lyndon Johnson, Richard Nixon, Gerald Ford and Jimmy Carter. Now he faces the greater—for the ages—task. It is to preserve peace by intriguing a kind of Catch-22 bluff, that we can only forestall war if we believe freedom is worth striving and, in the last analysis, dying for.

His task is formidable. The nihilism in which we have been indulging is secular anti-humanism, the view that man is merely an advanced automaton, the feeling that since we cannot know whether God exists we must save ourselves any way we can—a view that permeates government, courts, media and churches.

Reagan has done more than assail secular anti-humanism; he has linked it to weakness of the life-urge that counsels we should lay down on defense, spare only the unborn who will be convenient to us, and euthanize the elderly (it is called "death with dignity").

He has begun to change it, by power of the bully pulpit, winning support for government programs and by appointments of people imbued with a new philosophy to the judiciary.

By deftly turning the nation's course, Reagan is achieving far more than political change. He is truly waging a counterrevolution. He is proving to be a presidential John XXIII—intended to be a footnote, but who wrote a volume.

But inertia may yet triumph, which is why I believe the 1984 election will be des-

perately hard-fought with victory either won or denied Reagan by an eyelash. No other president has freely alienated so many of the powerful when he could serve his own needs by being another noncommittal Jerry Ford.

Reagan's task is, thanks to the disinterested media, the best-kept secret in town. The 1962-63 Imperial court we call Supreme changed the historic formulation by which under the establishment clause neutrality was scrupulously maintained among the religions. By adding non-theism as a religion, the court not only defied rationality, it imposed upon us all the civil religion of secular anti-humanism.

This has become the prevailing illness of the West and of our own society—intellectual poverty, unreasoned social discontent, political impotence, moral decadence. Nowhere is anti-humanism a greater threat than with intellectuals who guerrilla-style counsel despair instead of the will needed to build up our defenses.

But if in his first term the forces of anti-humanism met their match, in a second—granted Reagan gains one—they will meet their master.●

#### GREECE'S INDEPENDENCE DAY

**HON. GERALDINE A. FERRARO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1984

● Ms. FERRARO. Mr. Speaker, as the Representative of over 28,000 Greek-American constituents, it is an honor and a personal privilege for me to join my colleagues in celebrating the 163d anniversary of Greece's independence from Turkish domination. In the light of the November 15, 1983, declaration of independence of a "Turkish Republic of Northern Cyprus" by the Turkish Cypriot authorities, this year's commemoration of Greece's independence assumes a new meaning both for the Greeks themselves and the freedom-loving peoples around the world.

After a long and heroic struggle to liberate themselves from the occupying Turkish authorities, on March 25, 1821, the Greek patriots from Macedonia to Crete, and from the Ionian Sea to the Aegean Islands, rose up in unison to reclaim their ancient glory and freedom. It was a mighty political event that inspired Lord Byron to muse: "I dream'd that Greece might still be free." And, indeed, over a decade later, Greece's modern-day independence was recognized by the civilized world with the signing of the Treaty of London on May 7, 1832. Byron's dream came true and Greece had become once again an independent kingdom.

Mr. Speaker, our commemoration of Greece's independence renews our commitment to human freedom. For it was the Greeks who first dedicated themselves to the principle of free government based on their ideals of individual worth, dignity, and freedom. Our own system of government is, indeed, a living testimony to the power

and truth of these ideals valued by the Greeks.

In the words of Thomas Jefferson, we owe so much to the Greeks and that debt still rests heavily on the shoulders of the living, and the future races of men.

Greece's independence is precious to us all and the yearning for self-determination and the strengthening of their democratic institutions, in Greece as well as in Cyprus, deserves our unwavering support.●

#### THE FUTURE OF EL SALVADOR

**HON. VIN WEBER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. WEBER. Mr. Speaker, I would like to call the attention of my colleagues to the third and final part of a report prepared by Mr. Frank Graves, a Minnesota businessman, on the current situation in El Salvador. Mr. Graves concludes his report with suggestions on how to improve our policies in this country. I believe the optimism and hope that Mr. Graves shares with us about the future of El Salvador is something we should all remember. The recent elections give solid proof to his hope:

#### REACTION TO THE CARIBBEAN BASIN INITIATIVE

During the course of a meeting with Sr. Conrado Lopez Andreu, president of both the Chamber of Commerce and ANEP (National Association of Private Enterprise) and Sr. Juan Vicente Maldonado, Executive Director of ANEP, we discussed the implications of the Caribbean Basin Initiative to El Salvador.

Both men were unreservedly enthusiastic about the CBI and saw it as enlightened international statesmanship of a kind they were not used to seeing from the U.S.

They strongly believe that CBI gives the country a chance to help itself in developing its industrial base. They pointed out that as important as agriculture is to El Salvador it will not be able to provide an economic growth that keeps pace with population growth. To do this light industry is needed and CBI provides the necessary markets for such industry.

They hope also that CBI will re-attract U.S. investors to El Salvador once the guerrilla problem has been solved. They remember wistfully, the impact of Texas Instrument's manufacturing operation there and believe this initiative will encourage that type of business.

They also were enthusiastic about the possibility of a bilateral free trade association with the United States which would encourage U.S. investment even more than CBI. (It should be remembered that El Salvador has always been pro U.S. In the middle of the last century sometime, it made overtures for statehood but was not taken seriously in the U.S.)

Obviously the kind of opportunity for developing economic independence the Caribbean Basin Initiative provides El Salvador is a better course than having it become an economic dependency. It is better for the

Salvadoran people and better for the U.S. taxpayer.

#### CONCLUSIONS AND RECOMMENDATIONS TO CONGRESSMAN WEBER

##### 1. CONCLUSION

The guerrillas cannot win the war militarily. They don't have the support of the people and they don't have the forces to achieve victory. The Salvadoran Army can win in the field without the help of U.S. troops, provided the U.S. increases its support to the level necessary to achieve a decisive advantage. A decisive victory in El Salvador is critical to the United States for several reasons . . . first, it will put the Soviet-Cuba-Nicaragua Axis on notice that we intend to stand firm against marxist aggression in this hemisphere, . . . second, it will re-establish respect for the United States with our allies, . . . and third, it will restore our own national self-confidence lost in Vietnam.

##### RECOMMENDATION

Support substantial increases in military aid to El Salvador's armed forces. Increases should include a larger advisor group, medical training and support, training in the U.S. and in Panama for Salvadoran officers, and necessary equipment such as light infantry weapons, greater amounts of small arms and field artillery ammunition, additional helicopters for rapid troop deployment and medical evacuation, and radio equipment to improve command control and communications at the small unit level.

##### 2. CONCLUSION

A great many influential people in the business and agriculture communities have lost confidence in the judgment and motives of the U.S. as a result of the injustices done to them in the land reforms. The good will and confidence of many thousands of these people is essential to the economic recovery of the country and to the future of El Salvador as a U.S. ally.

##### RECOMMENDATION

Support commitment of the funds necessary to compensate land owners and stockholders of agribusiness corporations for the loss of property confiscated under land reform. Such funds might be made available in the form of a government to government long-term loan which flows through to the former owners. Provision should be included which ensures the money remains in the country. Early settlement with the land owners would go a long way toward rebuilding Salvadoran confidence and trust in the U.S.

##### 3. CONCLUSION

Salvadoran police methods need reorientation and the police forces need retraining. It is no coincidence that those organizations that have close contact with U.S. advisory personnel, like the army, have a better human rights record than those that do not. We can give the Salvadorans a great deal of help in making their transition to a democracy. They need our help in training their police.

##### RECOMMENDATION

Support a Public Safety aid package aimed at training the various police forces and law enforcement agencies in their role of protecting the people, keeping the peace, criminal apprehension, and in investigative and interrogative techniques which respect human rights. I understand it will be necessary to repeal some Provisions of the For-

Foreign Assistance Act of 1974 which prohibit training police, to do this.

#### 4. CONCLUSION

The Land and Banking reform program as it was imposed upon El Salvador was a mistake. Not only has it done great damage to El Salvador, it also has severely tarnished the U.S. image in the region. The Banking reforms might be reversible but the land reforms probably are not without causing additional chaos. In any case, both must be modified to the extent necessary to restore competition, kindle incentive to produce, and to rebuild confidence in the national economy.

#### RECOMMENDATION

Support a program for a joint reevaluation by the U.S. and El Salvador, of the land, banking and other reforms with the objective of modifying them as necessary to revive a viable free enterprise economic system which can sustain itself and thus obviate the need for more economic aid from the U.S.

#### 5. CONCLUSION

The Caribbean Basin Initiative is viewed as a very positive development and it has created considerable enthusiasm in El Salvador.

#### RECOMMENDATION

Support the rapid development of a close economic relationship between the U.S. and El Salvador under the provisions of President Reagan's Caribbean Basin Initiative.

#### 6. CONCLUSION

The only way to get a true "feel" of the situation in El Salvador is to be there in person, see the situation first hand and talk to people there who are personally involved. Being there gives one an immediate sense of the degree of bias and hysteria reflected in our press coverage of the situation there, and it restores proportion and perspective to our judgement of Salvadoran progress and problems.

#### RECOMMENDATION

Visit El Salvador personally to make your own contacts with Salvadoran political, military and business leaders as well as with key U.S. personnel on the scene. Get into the field and onto the farms. You will confirm for yourself that the country and its people are strong allies, that they are important to the U.S. strategically, economically and fraternally, and that they deserve more understanding and more enthusiastic support from us.

Thank you, Mr. Speaker.●

**THE PEOPLE OF ARIZONA HAVE  
A RIGHT TO KNOW WHERE I  
STAND**

**HON. MORRIS K. UDALL**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. UDALL. Mr. Speaker, it has become my practice from time to time to list my votes in the House of Representatives here in the CONGRESSIONAL RECORD. I strongly believe that the people of Arizona have a right to know where I stand on the issues decided by the House, and I have found that printing my record here is the best way to provide that information.

This is not an all-inclusive list. I have omitted noncontroversial votes such as quorum calls, motions to resolve into the Committee of the Whole House, and motions to approve the Journal of the previous day.

The descriptions are necessarily somewhat short, and I am sure that some of my constituents will have additional questions about the issues described here. So I invite them to write me for specifics, or to visit my district office at 300 North Main in Tucson or 1419 North Third Street, Suite 103, in Phoenix.

The list is arranged as follows:

1. Official rollcall number;
2. Number of the bill or resolution;
3. Title of the bill or resolution;
4. A description of issue being voted on;
5. The date of the action;
6. My vote, in the form Y=yes, N=no, and NV=not voting.

7. The vote of the entire Arizona delegation, in the form (Yes-No/Not voting);
8. An indication whether the motion or amendment was passed or rejected; and
9. The total vote.

151. H.R. 3135. Legislative Branch Appropriations, Fiscal 1984. Hiler, R-Ind., amendment to reduce funds for the Congressional Budget Office by \$733,850, from \$16.3 million to \$15.6 million. Rejected 141-164: N(2-2-1), June 3, 1983.

152. H.R. 3135. Legislative Branch Appropriations, Fiscal 1984. Brown, R-Colo., amendment to reduce by \$169,876 the bill's funding for 14 operators of automatic elevators in House office buildings, thus eliminating their positions. Rejected 101-193: N(1-3-1), June 3, 1983.

153. H.R. 3135. Legislative Branch Appropriations, Fiscal 1984. Passage of the bill to appropriate \$1,208,397,750 for the legislative branch in fiscal 1984. Passed 184-104: Y(3-1-1), June 3, 1983. The president had requested \$1,227,335,200 in new budget authority. Traditionally, the president simply requests the amount congressional agencies want included in the budget.

154. H.R. 3132. Energy and Water Development Appropriations, Fiscal 1984. Adoption of the rule (H Res 210) to waive certain points of order during House floor consideration of the bill to make fiscal 1984 appropriations for energy and water development. Adopted 271-92: Y(5-0-0), June 6, 1983.

155. H.R. 3132. Energy and Water Development Appropriations, Fiscal 1984. Beville, D-Ala., motion that the House resolve itself into the Committee of the Whole for consideration of the bill to make fiscal 1984 appropriations for energy and water development. Motion agreed to 337-30: Y(5-0-0), June 6, 1983.

156. H.R. 3132. Energy and Water Development Appropriations, Fiscal 1984. Wise, D-W. Va., amendment to delete \$26 million in the bill for construction of the Stonewall Jackson Dam in West Virginia. Adopted 213-161: N(0-5-0), June 6, 1983.

158. H.R. 3132. Energy and Water Development Appropriations, Fiscal 1984. Edgar, D-Pa., amendment to delete \$56 million in the bill for the Dolores and Dallas Creek water projects in Colorado. Rejected 140-257: N(0-5-0), June 7, 1983.

159. H.R. 3132. Energy and Water Development Appropriations, Fiscal 1984. Sensenbrenner, R-Wis., amendment to reduce the appropriation for the Department of Energy's energy supply, research and develop-

ment activities by \$10 million. Rejected 105-312: N(0-5-0), June 7, 1983.

160. H.R. 3132. Energy and Water Development Appropriations, Fiscal 1984. Passage of the bill to appropriate \$14,179,223,000 for energy and water development for fiscal 1984. Passed 379-39: Y(5-0-0), June 7, 1983. The president had requested \$14,610,671,000 in new budget authority.

161. H.R. 1271. El Salvador Aid Certification. Barnes, D-Md., motion to suspend the rules and pass the bill to require the president, in his July 1983 certification report to Congress on El Salvador's eligibility for continued U.S. military aid, to report on whether the government had made "good faith efforts" to bring to justice those responsible for the murders of eight U.S. citizens. Motion agreed to 416-2: Y(4-1-0), June 7, 1983. A two-thirds majority of those present and voting (279 in this case) is required for passage under suspension of the rules.

162. H.R. 2207. Emergency School Aid Act. Perkins, D-Ky., motion to suspend the rules and pass the bill to authorize a program of grants to local school districts in fiscal 1984-86 to help them offset the costs of school desegregation. Motion agreed to 299-120: Y(2-3-0), June 7, 1983. A two-thirds majority of those present and voting (280 in this case) is required for passage under suspension of the rules. A "nay" was a vote supporting the president's position.

163. H.R. 2355. Vietnam Veterans' Training Act. Leath, D-Texas, motion to suspend the rules and pass the bill to establish a \$325 million job training program for unemployed and disabled Vietnam-era veterans. Motion agreed to 407-10: Y(5-0-0), June 7, 1983. A two-thirds majority of those present and voting (278 in this case) is required for passage under suspension of the rules.

164. H.R. 2148. Follow Through Amendments. Andrews, D-N.C., motion to suspend the rules and pass the bill to extend the Follow Through program through fiscal 1985. The program provides educational, health, nutritional and social services to disadvantaged children previously enrolled in such preschool programs as Head Start. Motion agreed to 288-132: Y(3-2-0), June 7, 1983. A two-thirds majority of those present and voting (280 in this case) is required for passage under suspension of the rules. A "nay" was a vote supporting the president's position.

165. H.R. 2943. Washington Workshops Foundation Authorization. Perkins, D-Ky., motion to suspend the rules and pass the bill to authorize \$1.5 million in each of fiscal years 1983-85 for the Allen J. Ellender Fellowship program; \$100,000 in fiscal 1983 for the Washington Workshops Foundation, and \$2 million in each of fiscal years 1984-85 for several law related education programs. Motion rejected 230-190: Y(2-3-0), June 7, 1983. A two-thirds majority of those present and voting (280 in this case) is required for passage under suspension of the rules. A "nay" was a vote supporting the president's position.

166. H.R. 3223. Agriculture Appropriations, Fiscal 1984. Adoption of the rule (H Res 220) providing for House floor consideration of the bill to make fiscal 1984 appropriations for the Agriculture Department, the Food and Drug Administration and the Commodity Futures Trading Commission. Adopted 339-66: Y(5-0-0).

167. H.R. 3223. Agriculture Appropriations, Fiscal 1984. Passage of the bill to appropriate \$34,029,527,000 in fiscal 1984 for the Agriculture Department, the Food and Drug Administration and the Commodity Futures

Trading Commission. Passed 297-115: Y(2-3-0), June 8, 1983. The president had requested \$34,083,229,000 in new budget authority.

168. H.R. 3191. Treasury, Postal Service and General Government Appropriations, Fiscal 1984. Adoption of the rule (H Res 222) providing for House floor consideration of the bill to make fiscal 1984 appropriations for the Treasury Department, U.S. Postal Service, Adopted 229-183: N(4-1-0), June 8, 1983.

169. H.R. 3191. Treasury, Postal Service and General Government Appropriations, Fiscal 1984. Jacobs, D-Ind., amendment to eliminate from the bill \$910,700 for the office expenses of former Presidents Richard M. Nixon, Gerald R. Ford and Jimmy Carter, leaving \$260,300 for pensions for them and for the widow of former President Lyndon B. Johnson. Adopted 244-169: Y(4-1-0), June 8, 1983.

170. H.R. 3191. Treasury, Postal Service and General Government Appropriations, Fiscal 1984. Smith, R-N.J., amendment to prohibit the use of federal health benefit funds to pay for abortions unless the life of the mother is endangered. Adopted 226-182: N(3-2-0), June 8, 1983. A "yea" was a vote supporting the president's position.

171. H.R. 3191. Treasury, Postal Service and General Government Appropriations, Fiscal 1984. Passage of the bill to appropriate \$11,907,652,300 for the Treasury Department, U.S. Postal Service, executive offices and certain independent agencies in fiscal 1984. Rejected 149-259: Y(2-3-0), June 8, 1983. The president had requested \$11,576,298,000 in new budget authority.

173. H.R. 2915. Treasury, Postal Service and General Government Appropriations, Fiscal 1984. Adoption of the rule (H Res 198) providing for House floor consideration of the bill to make supplemental appropriations in fiscal year 1983 and regular appropriations in fiscal years 1984-85 for the State Department, the United States Information Agency, the Board for International Broadcasting and the Inter-American Foundation. Adopted 373-37: Y(4-0-1), June 9, 1983.

174. H.R. 2915. State Department Authorizations. Brown, R-Colo., amendment to delete Title VI, establishing a National Endowment for Democracy. Rejected 194-215: N(3-2-0), June 9, 1983. A "nay" was a vote supporting the president's position.

175. H.R. 2915. State Department Authorizations. Brown, R-Colo., amendment to delete references in the section establishing a National Endowment for Democracy to participate in the endowment by the "two major American political parties." Adopted 267-136: N(3-2-0), June 9, 1983. A "nay" was a vote supporting the president's position. (By voice vote, the House later adopted a related Brown amendment to delete funding in the bill for grants by the National Endowment to private institutes established by the Republican and Democratic parties.)

176. H.R. 1590. Emergency Food Assistance Act. Adoption of the rule (H Res 207) providing for House floor consideration of the bill to promote the distribution of surplus, federally owned commodities to emergency feeding programs. The program would be authorized from Oct. 1, 1983, to Sept. 30, 1985. Adopted 346-51: Y(3-1-1), June 9, 1983.

178. H.R. 1076. Elimination of Jones Act Exemption. Jones, D-N.C., motion to suspend the rules and pass the bill designed to strengthen U.S. domestic waterborne commerce. Motion agreed to 373-44: Y(3-2-0),

June 14, 1983. A two-thirds majority of those present and voting (278 in this case) is required for passage under suspension of the rules.

179. H.R. 2062. National Marine Sanctuaries. Jones, D-N.C., motion to suspend the rules and pass the bill to authorize \$2.26 million in fiscal 1984, \$2.5 million in fiscal 1985 and \$2.75 million in fiscal 1986 for Title III of the Marine Protection, Research and Sanctuaries Act, to provide protection for nationally significant areas of the marine environment. Motion agreed to 379-38: Y(2-3-0), June 14, 1983. A two-thirds majority of those present and voting (278 in this case) is required for passage under suspension of the rules.

180. H.R. 2969. Department of Defense Authorization. Brown, D-Calif., amendment to delete \$19.4 million for procurement of an anti-satellite missile (ASAT). Rejected 177-243: Y(2-3-0), June 14, 1983. A "nay" was a vote supporting the president's position.

181. H.R. 2969. Department of Defense Authorization. McCloskey, D-Ind., amendment to bar multi-year procurement contracts for the B-1 bomber. Rejected 171-252: Y(2-3-0), June 14, 1983. A "nay" was a vote supporting the president's position.

182. H.R. 2969. Department of Defense Authorization. Levine, D-Calif., amendment to bar expenditure of funds authorized for the M-2 fighting vehicle is subjected to certain tests. Rejected 124-283: Y(1-4-0), June 14, 1983. A "nay" was a vote supporting the president's position.

184. H.R. 2969. Department of Defense Authorization. Smith, D-Fla., amendment to delete \$671 million for procurement of Divad anti-aircraft guns. Rejected 134-283: Y(2-3-0), June 15, 1983. A "nay" was a vote supporting the president's position.

185. H.R. 2969. Department of Defense Authorization. Dellums, D-Calif., amendment to delete \$6.2 billion for procurement of B-1 bombers. Rejected 164-255: N(1-4-0), June 15, 1983. A "nay" was a vote supporting the president's position.

186. H.R. 2969. Department of Defense Authorization. Leath, D-Texas, amendment to the Zablocki, D-Wis., amendment, to permit the use of funds in the bill to manufacture components of binary chemical weapons, but barring their final assembly until after Oct. 1, 1985. Rejected 202-216: N(4-1-0), June 15, 1983. A "yea" was a vote supporting the president's position. (The Zablocki amendment would delete from the bill \$114.6 million for procurement of binary munitions.)

187. H.R. 2969. Department of Defense Authorization. Bethune, R-Ark., substitute for the Zablocki, D-Wis., amendment, to delete \$114.6 million for binary chemical munitions and prohibiting the procurement of binary munitions or their components. Adopted 256-161: Y(2-3-0), June 15, 1983. (The Zablocki amendment would delete from the bill \$114.6 million for procurement of binary munitions. The Zablocki amendment, as modified by Bethune, subsequently was adopted by voice vote.)

189. H.R. 1590. Emergency Food Assistance Act. Passage of the bill to require the secretary of agriculture to make available, to emergency food organizations and certain other agencies, federally owned farm commodities that are not obligated to other programs and to authorize funds for processing, transportation and administrative costs as-

sociated with distribution. Passed 389-18: Y(3-2-0), June 16, 1983.

190. H.R. 2668. Consumer Product Safety Act. Adoption of the rule (H. Res. 227) providing for House floor consideration of the bill to reauthorize the Consumer Product Commission through fiscal 1988. Adopted 390-2: Y(5-0-0), June 16, 1983.

191. H.R. 2972. Military Construction Authorization. Adoption of the rule (H. Res. 229) providing for House floor consideration of the bill to authorize appropriations for military construction in fiscal 1984. Adopted 397-0: NV (4-0-1), June 16, 1983.

192. H.R. 2969. Department of Defense Authorization. Dellums, D-Calif., amendment to delete from the authorization all funds, amounting to \$432.8 million, for procurement of Pershing II missiles. Rejected 73-319: NV (0-3-2), June 16, 1983. A "nay" was a vote supporting the president's position.

193. H.R. 1492. Christopher Columbus Quincentenary. Garcia, D-N.Y., motion to suspend the rules and pass the bill to establish a Christopher Columbus Quincentenary Jubilee Commission and authorize funding of \$200,000 for fiscal 1984, \$250,000 a year in fiscal 1985-92 and an additional \$50,000 for the period of Oct. 1-Nov. 15, 1992. Motion agreed to 288-123: Y(3-2-0), June 21, 1983. A two-thirds majority of those present and voting (274 in this case) is required for passage under suspension of the rules.

194. H.R. 3329. Transportation Appropriations, Fiscal 1984. Adoption of the resolution (H. 238) to waive certain points of order against consideration of the bill to appropriate funds for the Transportation Department and related agencies in fiscal 1984. Adopted 373-41: Y(5-0-0), June 22, 1983.

195. H.R. 3329. Transportation Appropriations, Fiscal 1984. Fiedler, R-Calif., amendment to delete \$127.5 million for a Los Angeles subway. Rejected 139-280: N(1-4-0), June 22, 1983.

196. H.R. 3329. Transportation Appropriations, Fiscal 1984. Glickman, D-Kan., amendment to strike a provision prohibiting the use of funds to develop or implement a federal regulation that would lower the number of passengers or air carrier slots at National Airport in Washington, D.C. Rejected 170-249: Y(2-3-0), June 22, 1983.

197. H.R. 3329. Transportation Appropriations, Fiscal 1984. Lehman, D-Fla., motion that the Committee of the Whole rise and report the bill back to the House with sundry amendments, with the recommendations that the amendments be adopted and the bill passed. Motion agreed to 275-139: Y(3-2-0), June 22, 1983.

198. H.R. 3329. Transportation Appropriations, Fiscal 1984. Coughlin, R-Pa., motion to recommit the bill to the appropriations Committee with instructions to cut all programs by 4 percent except for mandatory appropriations, rescissions and appropriations to liquidate obligations already incurred. Motion rejected 191-223: N(3-2-0), June 22, 1983.

199. H.R. 3329. Transportation Appropriations, Fiscal 1984. Passage of the bill to appropriate \$11,299,897,225 for the Transportation Department and related agencies in fiscal 1984. Passed 250-156: Y(2-3-0), June 22, 1983. The president had requested \$10,913,472,025 in new budget authority.●

INTRODUCTION OF H.R. 5297,  
THE CIVIL AERONAUTICS  
BOARD SUNSET ACT OF 1984

**HON. JOHN P. HAMMERSCHMIDT**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● **Mr. HAMMERSCHMIDT.** Mr. Speaker, today I join with Aviation Subcommittee Chairman **NORMAN MINETA** and with other colleagues on the Public Works Committee to introduce the Civil Aeronautics Board Sunset Act of 1984. This legislation would assure the orderly phaseout of the Civil Aeronautics Board (CAB), which is now scheduled to go out of existence at the end of this year in accordance with the provisions of the Airline Deregulation Act of 1978 (ADA). I believe that, if adopted, this legislation will assure that any problems associated with CAB's sunset will be minimized and that the transfer of the Board's current functions will be accomplished without any adverse effects on the traveling public.

As my colleagues are aware, the ADA provided for the transfer of many of the CAB's functions on January 1, 1985. Among these responsibilities are the administration of international aviation functions, the essential air service program, and section 43 labor protection determinations, all of which are scheduled to transfer to the Department of Transportation.

However, the ADA did not specifically provide for the transfer of certain other CAB functions relating to domestic air transportation, such as jurisdiction over consumer protection, competitive practices, and fitness of air carriers. Because I believe that the traveling public must continue to receive the same level of protection that it has come to rely upon over the years, the legislation being introduced today assures that these important responsibilities will not be eliminated. In addition, it also consolidates within DOT virtually all of the transferring CAB functions, thus avoiding the confusion and other problems which would undoubtedly occur if these responsibilities were transferred to numerous different Federal agencies.

Among the major provisions in the bill are:

First, consumer protection and competitive practices jurisdiction—section 411 of the Federal Aviation Act: the bill would transfer the CAB's existing authority to regulate unfair and deceptive practices and unfair methods of competition to the Department of Transportation (DOT) as it applies to domestic air transportation. Since DOT will receive these functions as they relate to international aviation and essential air service, it is only logical to transfer CAB's remaining domestic authority to DOT.

The authority in section 411 has been used by the CAB to adopt regulations on denied boarding compensation, baggage liability, notice to passengers about the terms of carriage, and certain protections for charter passengers. In addition, the CAB has recently issued rulemaking proposals relating to airline computer reservations systems—which were the subject of extensive hearings before the Aviation Subcommittee last year—and final rules are expected to be adopted in the near future.

However, if the authority in section 411 is not specifically transferred by statute, there is a strong likelihood that these rules, as well as the authority to promulgate them, will terminate when the Board sunsets. If this occurs, airline passengers would lose all of the regulatory protections which have evolved over the years and which they have come to rely upon when using our air transportation system. Clearly, this is something the Congress should not allow to occur.

Although I have also considered whether this function should be transferred to the Federal Trade Commission—which has similar jurisdiction for other industries—I believe that, on balance, DOT's expertise in air transportation, its ability to use informal rulemaking procedures, and the need to avoid undue fragmentation of authority are the primary reasons for my decision to support transferring this function to the DOT.

For the same reasons, the legislation also transfers CAB's existing authority in section 404(a) of the Federal Aviation Act to the DOT. This section contains the CAB's authority to require domestic air carriers to provide safe and adequate service and is the basis upon which the Board has issued regulations dealing with smoking aboard aircraft and transportation of handicapped passengers on air carriers not receiving direct Federal subsidy.

Second, authority to approve mergers, interlocks, and agreements, and to grant antitrust immunity for these transactions—sections 408, 409, 412, and 414 of the Federal Aviation Act: Under existing law, these functions are to be transferred to the Department of Justice (DOJ) when the CAB sunsets. Nevertheless, I believe that there are compelling circumstances which require this authority to be transferred instead to DOT.

Just as the ICC has jurisdiction over similar issues affecting motor carriers, I believe DOT's expertise in air transportation makes it particularly well-equipped to exercise this authority. For example, sections 408 and 412 specifically require that, in determining whether certain transactions or agreements should be approved, the transportation benefits which would be provided must be balanced against the possible anticompetitive effects in-

volved. Because I believe that DOT would be in the best position to evaluate these often competing considerations, the bill transfers these provisions to DOT.

The authority contained in sections 412 and 414 pertaining to industry agreements would continue at DOT indefinitely for matters involving foreign air transportation, but would expire on January 1, 1989, as it relates to domestic air transportation. Similarly, the authority contained in sections 408, 409, and 414 would expire in all respects on January 1, 1989.

However, the legislation requires DOT to report to Congress by July 1, 1987, on whether it believes the authority contained in these provisions should be continued or repealed. Therefore, if circumstances warrant the retention of this authority beyond January 1, 1989, Congress could act accordingly to preserve it.

Third, fitness of air carriers: Currently the CAB examines an air carrier's financial fitness, compliance disposition, and managerial ability before deciding whether to issue a certificate under section 401 of the Federal Aviation Act. This certificate, combined with an air carrier operations certificate issued under section 604 by the Federal Aviation Administration, constitutes a carrier's authority to conduct operations.

Although the domestic fitness function was not specifically transferred by the Airline Deregulation Act, I believe it is important that the thorough inquiry now conducted by the CAB be continued after sunset. As in the case with consumer protection, DOT will receive this authority as it relates to the essential air service program and international aviation, and it therefore makes good sense to require it to conduct this inquiry for other air carriers involved in domestic air transportation as well.

While I realize that DOT has indicated its willingness to evaluate a carrier's financial fitness as a factor in determining whether to issue an air carrier operating certificate under section 604, I do not believe that an inquiry of this nature would be as thorough as that presently conducted by the CAB. Moreover, with the proliferation of new airlines in this deregulated environment, it is important that we assure the traveling public that carriers will be adequately prepared to undertake their responsibilities. Accordingly, the legislation transfers this function to DOT and will require DOT to continue issuing separate certificates under section 401 of the act.

Second, data collection—section 407(a), 415 of the Federal Aviation Act: Under existing law, the CAB has authority to collect necessary data from carriers and to make that data available to the public. The CAB and

DOT have been engaged recently in efforts to decide upon the kinds of data that should be collected after CAB sunsets. Although much of the information which used to be collected is no longer necessary in today's deregulated environment, DOT, CAB, and the vast majority of the aviation community believe that continued collection of certain kinds of data is necessary and in the public interest.

Therefore, the bill contains a provision which transfers the CAB's authority to collect necessary data to the DOT and also contains a specific provision requiring the continued collection of origin and destination and service segment traffic data.

This data, which shows the number of passengers traveling on various flight segments, as well as their points of origin and ultimate destinations, provides important information about the flow of traffic throughout our air transportation system. The continued availability of this information will not only facilitate efficient State and local planning for air transportation services, but will also enable Federal officials to do a better job of monitoring national air transportation trends.

The bill also contains other technical, conforming, and clarifying amendments, and although I will not mention them specifically here, I would like to direct the attention of interested parties to the section-by-section analysis of the bill which accompanies the introductory statement filed by Congressman MINETA, the chairman of the Aviation Subcommittee.

Mr. Speaker, this legislation results from numerous hearings which we have conducted on the economic issues associated with airline deregulation. As a result of this thorough inquiry, I firmly believe that adoption of this bill is essential if we are to have an orderly phaseout and transfer of the CAB's functions.

While the Board's disappearance will close another chapter in this country's movement toward a deregulated air transportation system, we cannot overlook the fact that the traveling public and the aviation community will continue to expect that the Federal Government will be able to respond to problems which may arise from time to time. Accordingly, we must assure that the authority in place to perform these important responsibilities will continue to exist and be administered by an agency with demonstrated expertise in air transportation issues. I am confident that this legislation accomplishes these objectives and, for these reasons, urge my colleagues to support it. ●

## DEATH OF AN ARCHBISHOP

### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. HYDE. Mr. Speaker, yesterday's Washington Times contained two articles concerning the tragic and controversial assassination of Archbishop Oscar A. Romero in Nicaragua. One is by Virginia Prewett, and the other is a transcript of a statement by Pedro Lobo, a former Communist guerrilla who has direct knowledge of the circumstances.

They rebut the propaganda that this murder was the dirty work of any group other than the Communists.

I commend the following articles to my colleagues' attention:

[From the Washington Times, Mar. 28, 1984]

#### ROMERO SAID TO HAVE BEEN MURDERED BY COMMUNISTS

(By Virginia Prewett)

El Salvador's presidential campaign became a real-life whodunit mystery drama with a nation's fate at stake instead of an English weekend's houseguest's. It could be called "Death of an Archbishop" or even "Clouds of Witnesses."

A series of charges and counter-charges over whether the left or the right murdered the left-leaning Archbishop Oscar A. Romero of San Salvador on March 24, 1980, and over who ran "rightist death squads" accused of killing "hundreds of thousands" [sic] were at issue.

The charges were expected to have more effect on how the U.S. Congress votes on a \$93 million Salvadoran arms-aid request by President Reagan than on voting results in last Sunday's Salvadoran presidential elections. Accusations that the anti-communist ARENA candidate, Roberto d'Aubuisson, and his supporters are linked to the archbishop's killing and other horrendous crimes have thrummed in the U.S. major media for months and around Capitol Hill. If the charges stand, and if Mr. d'Aubuisson is elected, they will affect how Washington treats El Salvador.

On March 17, candidate d'Aubuisson, halfway through a major TV political speech, produced Pedro Lobo, a self-described defector and former comandante in the FMLN communist guerrilla high command. Commandante Lobo gave details of how his guerrillas, not "rightists," murdered the archbishop as a necessary "sacrifice."

In full view of his Salvadoran audience (among whom "everybody knows everybody"), without mask or head covering, Mr. Lobo named the man he said fired the fatal shot and several members of the hit squad of 10, whose indoctrination is Sandinista Managua and final preparation in "Maurice Bishop's Grenada" he described.

Mr. Lobo accused Miguel Angel Blandino Niero, brother of a known communist terrorist, "Roger," of sniping Msgr. Romero from across the circular driveway in front of the chapel of San Salvador's Divina Providencia cancer hospital for the poor, where the archbishop was celebrating a memorial mass. Lobo said that he and a Spanish woman called "Dominica," who passed as a nun, and other hit-team members had pene-

trated the archbishop's informal security watch; that a well known Salvadoran woman terrorist called "The Dwarf" Letona, because of her short stature, was ready in a car "angled across" the roadway to delay the rushing of the archbishop to a major hospital 10 minutes away if he were only wounded. ("And so it turned out," said Mr. Lobo.)

"Dominica" was inside the chapel, he said, and managed to go along to the emergency hospital, the Policlinica, to be sure the guerrillas knew the archbishop was dead. TV news films of the police and doctors rushing the archbishop into the hospital elevator where he died caught "Dominica" in their footage, he said.

Mr. Lobo said the long-time communist guerrilla leader Cayetano Carpio and his right-hand woman, Melida Anaya Montes, both of the FPL terrorist faction (Popular Liberation Forces) and since dead in internal guerrilla feuds, planned Msgr. Romero's murder along with "Dominica," the false Spanish nun, "to create a martyr." The archbishop was useful as what the Marxists call a "leader of masses," that is, a liberal-leftist with a popular following but not under Communist Party discipline.

Mr. Tabo first surfaced in a Feb. 4 interview in Costa Rica's respected daily *La Nacion*. There he said the Spanish woman posing as a nun is a Basque ETA terrorist who joined the hit team through Joaquin Villalobos, today a top commander of the unified Salvadoran FMLN guerrillas.

In the March 17 tape shown by Mr. d'Aubuisson, Mr. Lobo said he helped cover the assassin's escape route, and that "Villalobos" sent the man who guarded the sharpshooter.

Mr. Lobo said he went directly to his own safehouse, that of a woman well known to American correspondents as the guerrillas' "press relations officer." She was later arrested with an arms cache, imprisoned, released under the 1983 political amnesty and is said to be in the United States at present lecturing in Eastern seaboard churches.

Mr. d'Aubuisson followed the Lobo videotape with a clip of Pope John Paul II in San Salvador abjuring the faithful not to make political capital out of the archbishop's murder. Later came a short film clip of former U.S. Ambassador Robert White, who Mr. d'Aubuisson said "invented the Salvadoran death squads."

His associates report that Mr. d'Aubuisson had shrugged off Mr. Lobo's first revelations, saying that, "Everybody in El Salvador knows I didn't kill the archbishop." Finally, at the urging of American friends, he got the videotape from Mr. Lobo, said to be in Honduras in a South American military intelligence group's protective custody.

On Wednesday a week ago, the last day for campaigning in El Salvador, rival Christian Democrat Party head Ray Prendes tries to monkeywrench the Lobo confession. He said Mr. Lobo is actually a con man named Adalberto Salazar Collyer, who may have been "in prison" when the archbishop was murdered (an odd contention, tending to prove that Mr. Lobo was not Salazar). The Lobo-alleged assassin, Miguel Angel Blandino Niero, he said, swore "on the grave of Msgr. Romero" that he was not the sniper. Privately, Mr. Blandino surmised the assassin might be his brother Roger, implicated in other terrorist killings in El Salvador.

D'Aubuisson associates reached before the election at ARENA headquarters brushed off the Prendes allegations. "It's a typical campaign trick for the American press," one

said. "The campaign ended today, so d'Aubuisson can't go on TV to answer it. Lobo gives convincing inside details—and if we'd had any doubt about him, we'd have a bag over his face like they do with Ambassador White's \$50,000 witness . . . [who] made a 'human mistake,' White now says . . . when he accused Arturo Muyschondt of plotting the archbishop's murder and all the death squad killings."

The ARENA spokesman had heard how Mr. White, confronted with a \$10 million defamation suit by young Salvadoran businessman Arturo Muyschondt, said his unnamed witness was "human" and could "make a mistake" about Mr. Muyschondt's identity. "They'll find out just how 'human' Mr. White's witnesses are," commented the d'Aubuisson associate.

A third mystery man among the "witnesses" who may determine El Salvador's fate has been thrust into the drama by ex-Ambassador White. On March 21, when this shadowy unknown was surfaced by Mr. White in a Senate Foreign Relations subcommittee hearing under Sen. Jesse Helms, the State Department's Allan Romberg announced that State has "serious" misgivings about the credibility of White's first mystery witness, his \$50,000 man.

Nevertheless, the charges with much broader allegations against d'Aubuisson, ARENA, and El Salvador's military, were repeated by the White group's \$50,000 masked witness on a CBS news segment on the evening of March 21.

#### AN ACCOMPLICE CONFESSES

Announcer: We find ourselves in the company of Señor Pedro Lobo, a personage important within the framework of Central American events. He is with us voluntarily and wishes to manifest before public opinion certain aspects of the event mentioned [the assassination of Archbishop Oscar A. Romero in San Salvador March 14, 1980, attributed to "rightists." I Don Pedro, where were you born, and in what year?

Lobo: I was born in 1945, in San Salvador, El Salvador, Nov. 11.

Q: Where did you spend your childhood and where did you go to school?

Lobo: My childhood was in San Salvador. I got my primary education at the Liceo Centroamericano there. . . . Then, after my graduation, I went to study for a *bachiller industrial* from the Salesian Brothers. . . . And I began to get acquainted with the organizations that today [background noise] such as the FPL [Forces of Popular Liberation], which at that time was unknown. I enlisted in the guerrilla movement, as they call it today, as a literacy teacher at first. . . .

I went to a place in Chalchuapa. . . . Then I got to know Shafik Handal [chairman of the Communist Party of El Salvador], and then "Marcial," that is Cayetano Carpio, and he is known by other names. We called him "Hatchet Face." All this covered a period of some five of six years—up to the time when the subversive movement began to take on strenght in El Salvador.

Q: In what important operations did you take part, ones of international note?

Lobo: I believe the, the greatest sin that I could have committed, as a Christian—which I am as of now—is having participated in the death of the monsignor [Archbishop Romero]. I am going to, to be a bit more explicit. That was prepared—that is, the council of the FPL is the directly responsible party. . . . They have been accusing people who had nothing to do with the

death of the monsignor. It was the council directly. The council at that time was made up of Cayetano Carpio, Melida [Melida Anaya Montes], Mario [Mario Aquinada Carranza], and a Spanish woman who is at present in Honduras. She passes as a religious. The nickname she goes by is Dominica. I can't swear to her name, but I do know her very well. She is working in Aldea Holt [Holt Village, a Swiss refugee camp in Honduras].

Before they gave us the order—and that was because we had to sacrifice a martyr to get into power—that was one of the slogans that they told us (we were in Managua). And they psychod us up, those of us who were to take part directly or indirectly. . . . He [Archbishop Romero] knew us. He knew that we had to take care of him, because he was a help to us. He was a "leader of masses" more than anything. . . . He was a person who was used, that we made use of so the subversives could infiltrate the country more.

Then they took us to Grenada, where Maurice Bishop was, to finish preparing. We returned to El Salvador, where the man who assassinated Monsignor Chavez—ah, Monsignor Romero, pardon—was Miguel Angel Blandino Nerio. . . . At that time, the day of the event, we who had the security guard were (and she is also dead) "Dwarf" Letona—there were two sisters—and Pedro, I that am talking to you.

We had to put a vehicle across the roadway so that—most of all, so they could be delayed in taking him [to the hospital] if he wasn't dead yet, and that is how it turned out. When he got there, one of us was to get the incontrovertible proof to tell the world and humanity. That one, that person, was Dominica, who shows up on the [news television] videotape at that moment, in the Policlinica Salvadoreña [the hospital where the archbishop was pronounced dead]. And she works here in the refugee camp. To find her you don't need a name or anything.

Q: Where was the shot fired from?

Lobo: The shot was fired from the other side of the [circular drive]. The Carretera Vial [expressway] is in front of the chapel. The shot was from the west side, outside. Of course, Miguel Angel Blandino Nerio is a sharpshooter. Marksman.

Q: What type of weapon did they use?

Lobo: As of now I can't say exactly what weapon he used. The one I used, yes; that weapon was a Galil [an Israeli assault rifle], cut-down. And they went around, and another comrade who I only know as a—his pseudonym is "Rafael"—had a Czech Karinka.

Q: What escape route was used?

Lobo: From there I went around to the house of Margarita Gasteazoro, at the Colonia Layco [a San Salvador suburb]. That was my pad at the time, that is, my "safe house."

Q: Who guarded the man who fired the shot?

Lobo: That was handled by, that job was given to another person. [Joaquin] Villalobos sent him.

Q: How many people altogether were in the squad?

Lobo: The squad was made up of 10, with all the backup.

Q: What assignment did the nun have?

Lobo: She had the inside job. Dominica is here, and she is working in, ah, the camp that is in Marcala [Honduras]. She was the lover of Mario—Mario Aquinada Carranza.

Q: How many people were in the group that committed the murder?

Lobo: Only one. We were 10. But only one fired.

Q: And the other nine, what were they doing?

Lobo: They were guarding that person's withdrawal, his escape. We took care of each other.

Q: And the group of you were inside the church?

Lobo: No, we were outside. There were only two inside the church.

Q: Señor Lobo, when did you realize and know that you had succeeded in your operation?

Lobo: We knew it within two minutes. Because he died in the elevator. The police, and Dominica, were accompanying the monsignor.●

#### CAB SUNSET

#### HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. MINETA. Mr. Speaker, today, I am introducing, on behalf of myself, Chairman JAMES J. HOWARD of the Public Works Committee, and the ranking minority members of the Public Works Committee and the Aviation Subcommittee, Congressmen GENE SNYDER and JOHN PAUL HAMMER-SCHMIDT, legislation to complete and perfect the deregulation of domestic aviation and the sunset of the Civil Aeronautics Board. The introduction of legislation follows extensive hearings by the Aviation Subcommittee, beginning in May 1983, and concluding earlier this month, on the effects of airline deregulation, major issues related to deregulation and preservation of the competition on which deregulation is based, and legislative proposals relating to deregulation and the scheduled sunset of the Civil Aeronautics Board at the end of this year.

The airline industry is approaching the conclusion of a monumental transition process—a transition from extensive economic regulation to virtual economic deregulation. It was a transition process which began rather cautiously in the mid-1970's with CAB Chairman John Robson, accelerated dramatically with Fred Kahn, was codified and put on a statutory schedule by the Airline Deregulation Act of 1978, and, just over 9 months from now, will reach its appointed conclusion.

Pursuant to the Airline Deregulation Act, the bulk of the Board's regulatory authorities—mainly route and fare regulation for domestic aviation—have already expired. Also pursuant to that act, most of the Board's remaining authorities—governing international aviation and the essential air service program which guarantees air service to certain small communities—will be transferred to the Department of Transportation at the end of 1984.

The extensive data produced at our hearings convincingly demonstrated that deregulation has produced extensive benefits for consumers and the industry and that there should be no alteration or reversal of that basic scheme of things. In the legislation introduced today route and fare regulation will not be restored. The Civil Aeronautics Board will not be retained. We will not renege on the basic guarantees made by the Congress in the 1978 Act—the small community service guarantee and the labor protection guarantee.

The remaining question, however, is whether the disposition made by the 1978 act of some of the secondary authorities of the Board was in every case the best possible disposition. It is a very important question for the airline industry and for its customers largely because January 1, 1985, is the conclusion of this great transition process. What we do—or fail to do—this year will most likely determine what kind of airline system we have for many years to come.

As the result of our extensive hearings, we found instances, such as consumer protection and CAB determinations of carrier fitness, where the 1978 Act neither terminated nor transferred the Board's authority, and we believe these existing consumer protection and fitness authorities should be retained. We also found instances where the 1978 Act transferred the Board's authorities, such as the authority to immunize intercarrier agreements where specified transportation test are met, to one Department when another would be more appropriate.

In short, we found that the basic transition to deregulated domestic routes and fares, and the sunset of the CAB, could not and should not be reversed, but that certain finer adjustments needed to be made in the 1978 Act before this transition process reaches its conclusion on January 1, 1985. We are, therefore, proposing legislation which would accomplish those needed adjustments.

First and foremost among those needed adjustments is the need to preserve the existing ability of the Federal Government to provide some basic protection of the consumer and of the competition among carriers which provides the consumer with marketplace choices. For the most part we do and will continue to rely on the marketplace to provide for the needs of the consumer. But we have found that in some specific areas it is necessary to retain at least the potential for regulation to protect the consumer from certain abuses and to preserve competition from the effects of anticompetitive practices.

Under existing law (sections 404 and 411 of the Federal Aviation Act) there are regulations providing "rules of the

road" to protect consumers and to guide carriers in their behavior. These include regulations regarding smoking, discrimination against the handicapped, deceptive or anticompetitive practices, overbooking and denied boarding compensation, limitations on liability for lost or damaged baggage, notice to passengers of terms and conditions in the contract of carriage, and protections governing the advance sale of charters. In our hearings we found that, unless we legislatively preserved the underlying authorities in sections 404 and 411, the consumers would find themselves on January 1 abruptly without any of these regulations and without any agency they could turn to which had any regulatory or enforcement powers over those issues. Most importantly, we found that the agency which has some authority over some of these areas for other industries, the Federal Trade Commission, has concluded that it would have no authority to regulate any of these matters with respect to the airline industry.

I certainly found it overwhelmingly clear that the consumer would be in a untenable position beginning January 1. I do not believe the consumer of airline services today thinks of himself or herself as coddled or surrounded and stifled by overly protection regulation. The regulatory protections consumers have today are minimal. On January 1, they would have done, and I do not believe they would be happy about that.

It is also important to note that in the absence of Federal authority to regulate in these areas, we could have a situation where individual States would choose to regulate some of these matters within their own boundaries. We could end up with both consumers and carriers facing an incomprehensible variety of differing rules in different States, a chaotic situation which would serve no one's interests.

The legislation we are introducing today, therefore, preserves the consumer protection and prohibitions against anticompetitive practices authorities in existing law and transfers them to the Department of Transportation.

Existing regulations implementing those authorities would also be transferred. That is not to say, however, that all existing regulations would be forever preserved. The authority for such regulations would be preserved, so that if the Department of Transportation found at some future date that today's regulations needed to be modified, or needed to be eliminated altogether, they could do that. But where consumer protection regulations were necessary, the Department would have the authority to continue the existing rules or even issue new ones.

We also found that the Board's existing authority under section 401 of

the Federal Aviation Act to determine the fitness of carriers is an indispensable part of the Government's ability to protect the traveling public from unscrupulous or incompetent persons who might hold themselves out to the public as air carriers. The Federal Aviation Administration has and would retain the very important responsibility to determine and assure the operational and technical ability of an airline to comply with safety regulations. But CAB fitness determinations have traditionally gone further than that, looking into general managerial competence, financial capability, and the past record of the key management with regard to compliance with laws and regulations. These CAB fitness determinations have provided the traveling public with an added protection from operators who might offer to sell a service they could not and would not actually provide, and has been used to keep elements of organized crime out of the airline industry.

We see no reason why that existing protection should be scrapped. Yet our hearings clearly established that in the absence of legislation, these fitness determinations would cease to be performed by any Federal agency. The legislation we are introducing today therefore preserves the existing authority to make fitness determinations and transfers that authority to the Department of Transportation.

And finally, the 1978 act would transfer on January 1, 1985, the CAB's existing authority to immunize intercarrier agreements to the Department of Justice. The statutory tests for the granting of such immunity are based on transportation policy issues. By existing law we strictly limit the granting of such immunity to cases where the agreement in question produces important transportation benefits for the public, and where there are no reasonable transportation alternatives which are less anticompetitive. Given the primacy of transportation policy considerations in making these decisions, and given the inter-relatedness of these decisions with the conduct of transportation policy in general and international aviation policy in particular, we feel that this authority could more appropriately be carried out by the Department of Transportation. The legislation we are introducing today would make that adjustment.

The balance of the bill we are introducing is essentially technical, conforming, clarifying, or implementing in nature. It cleans up references to the Civil Aeronautics Board in various existing laws. It cleans up the provision in existing law transferring certain postal authorities from the CAB to the Postal Service. It provides some of the standard implementing lan-

guage for the sunset of an agency. And it assures that the Department of Transportation has authority comparable to what the CAB had for data-collection and information gathering necessary to carry out the residual responsibilities it is inheriting from the Board.

In sum, I believe this legislation is necessary to make the airline industry's concluding step into the deregulated environment a smooth and trouble-free one. That step will be only the final step in a journey already mostly accomplished, and I see no reason why it should be allowed to become the source of unnecessary anxiety, uncertainty, and complaint.

I want to commend the leadership roles played by our colleagues JIM HOWARD, GENE SNYDER, and JOHN PAUL HAMMERSCHMIDT in drafting this legislation, and also to acknowledge the major contributions of many of the members of the Aviation Subcommittee who helped define through months of hearings the key problems and the most appropriate solutions.

While virtually every imaginable point of view has had a chance to be heard on these issues in the course of subcommittee hearings stretching over 11 months, I want to extend to any person who feels the need to make further comments on this legislation the opportunity to do so during the coming week. All that is necessary is to give us those comments by letter or direct contact to the subcommittee.

Members wishing to cosponsor the legislation are also invited to contact the subcommittee (majority, x 59161; minority, x 63220).

The following is a section-by-section analysis of the introduced bill:

#### SECTION-BY-SECTION SUMMARY

##### Section 1. Short title.

Provides that the Act may be cited as the "Civil Aeronautics Board Sunset Act of 1984".

Section 2. Provides that unless otherwise expressly stated, all references to provisions of law in this legislation shall be considered to be references to the Federal Act of 1958.

Section 3. Termination and transfer of functions under the Federal Aviation Act of 1958.

(a) Amends Federal Aviation Act of 1958 to provide that after the sunset of the Civil Aeronautics Board (CAB) on December 31, 1984, CAB's authority under Section 408 (consolidation, merger, and acquisition of control), 409 (interlocking relationships), and Section 412 (pooling and other agreements), and CAB's related authority under Section 414 (antitrust exemption) will be administered by the Department of Transportation (DOT). Under current law, the Department of Justice would take over this authority after sunset of CAB.

(b) Amends the Federal Aviation Act to provide that there will be no termination of the authority of the Civil Aeronautics Board under Section 204 of the Act which includes CAB's rulemaking authority. CAB's authority under Section 204 will be transferred to the Department of Transportation on January 1, 1985.

(c) Provides that specified provisions of the Federal Aviation Act will cease to be in effect on January 1, 1985. Many of these provisions have already ceased to be effective by operation of the Deregulation Act of 1978 for interstate or overseas transportation of persons and by operation of CAB regulation for interstate and overseas transportation of property. Other provisions of the Federal Aviation Act which are terminated by this provision are incompatible with the deregulated environment.

The following provisions of the Federal Aviation Act will cease to be in effect for interstate and overseas air transportation after January 1, 1985: Sections 401 (l) and (m) which require certificated air carriers to carry mail; Section 405 (b), (c), and (d) which give the Postal Service and CAB various authority to require the carriage of mail; Section 403, which requires air carriers to file tariffs and imposes related requirements; and Section 404, which requires air carriers to provide reasonable through service and joint fares and prohibits unjust discrimination (this section continues in effect insofar as it requires air carriers to provide safe and adequate service).

The following provisions of the Federal Aviation Act will cease to be in effect for any transportation after January 1, 1985: Sections 407 (b) and (c), which impose reporting requirements relating to stock ownership of air carriers and stock ownership by air carrier officers and directors; Section 410, which gives CAB authority over applications for loans and financial aid from the U.S. government; Section 417, which authorizes CAB to allow charter air carriers to provide scheduled service in specified circumstances; and Sections 1002 (d), (e), (g), (h), and (i) (except insofar as such sections relate to foreign air transportation) which give CAB regulatory authority over air carrier rates and fares.

This Section further provides that Sections 412 of the Federal Aviation Act, insofar as it relates to interstate and overseas air transportation, and Sections 408 and 409 of the Federal Aviation Act, and related authority under Section 414 to award antitrust immunity, shall cease to be in effect on January 1, 1989. This sunset date will give Congress an opportunity to consider at that time whether there is still a need for administrative regulation of air carrier mergers and acquisitions and whether there is still a need for statutory authority to grant certain air carrier transactions immunity from the antitrust laws. Section 6 of this bill requires DOT to submit a report and recommendations to Congress on this issue.

(d) Provides that all authority of CAB which this Act does not terminate on January 1, 1985, and which is not otherwise terminated or transferred, will be transferred to the Department of Transportation on January 1, 1985. The authority transferred to DOT under this section includes the CAB's authority under Section 404 of the Act, to ensure safe and adequate service; the CAB's authority under Section 411 of the Act, to prevent unfair or deceptive practices or unfair methods of competition in air transportation; and the CAB's responsibilities under Section 401 of the Act, to ensure that carriers providing interstate or overseas air transportation are fit, willing, and able to perform the transportation proposed in their application and to conform to the requirements of the Federal Aviation Act and regulations adopted thereunder. Existing law transfers to the Department of Transportation CAB's authority with re-

spect to foreign air transportation and CAB's authority under Section 419 of the Act to establish a program for small community air service. Existing law also transfers to the U.S. Postal Service CAB's authority to determine rates for the carriage of mail in interstate and overseas air transportation. The Postal Service is to exercise this authority through negotiations or competitive bidding. Section 3 of this bill transfers to DOT, CAB's authority under Sections 408, 409, 412 and 414 of the Federal Aviation Act.

Section 4. Transfers of functions under other laws.

Transfers to the Department of Transportation the authority of CAB under specified laws other than the Federal Aviation Act. These are essentially conforming provisions intended to make the text of these statutes as clear as possible. The inclusion of a law in this provision does not necessarily indicate that the sponsors of the bill believe that legislation is necessary to transfer the authority in that law to DOT when CAB is terminated.

Section 5. Collection of data.

Amends the authority of the Department of Transportation to collect information on civil aeronautics to require that after January 1, 1985, the Department will, at a minimum, continue to collect information on the origin and destination of passengers in interstate and overseas transportation and information on the number of passengers traveling between points in interstate and overseas air transportation.

Section 6. Report on Air Carrier Agreements.

Requires the Secretary of Transportation to submit a report to the appropriate Committees of Congress not later than July 1, 1987, on the administration of Sections 408 and 409, 412 and 414, of the Federal Aviation Act and recommendations as to whether these authorities shall be continued.

Section 7. Incorporation by reference.

Amends Section 411 of the Federal Aviation Act to clarify CAB's authority to issue regulations establishing uniform requirements governing notice to passengers of terms of the contract between an airline and its passengers which are incorporated by reference in a ticket. CAB has issued such regulations, ER-1302, 47 FR-52134, November 19, 1982, under authority of Sections 204, 404, and 411 of the Federal Aviation Act. The amendment in this section clarifies that issuance of this type of regulation is a proper exercise of CAB authority. This amendment should not be construed as an indication that the sponsors of the bill consider that the regulations already enacted exceed CAB's authority under the statutory provisions cited by CAB.

Section 8. References to certificates of public convenience and necessity.

Provides that any reference in any law to a certificate of public convenience and necessity shall be deemed to refer to a certificate issued under Section 401 of the Federal Aviation Act. This section clarifies that the Deregulation Act of 1978, which ended the requirement that the CAB make a public convenience and necessity finding before issuing a Section 401 certificate for interstate or overseas transportation, was not intended to change other statutes other than the Federal Aviation Act which refer to certificates of public convenience and necessity held by air carriers.

Section 9. Miscellaneous amendments.

These amendments conform the regulatory format in the Federal Aviation Act for

interstate and overseas cargo transportation with the regulatory format governing interstate and overseas passenger transportation. Conforming changes are also made in a number of other statutes to reflect the termination of the CAB and the transfer of CAB authority to the Department of Transportation after January 1, 1985. The Postal Service's contracting authority in Title 39 of the U.S. Code is modified to conform to the provisions in the Deregulation Act authorizing the Postal Service to use competitive bidding or negotiations in place of CAB ratemaking for interstate or overseas mail transportation.

Section 10. Transfer and allocations of appropriations and personnel.

Provisions governing the transfer and allocation of appropriations and personnel from the CAB to the agencies to which CAB functions are transferred.

Section 11. Effect on personnel.

Provides that transferred employees are entitled to have the CAB evaluations used in determining merit pay, in addition to the evaluations of the new agency.

Section 12. Savings provision.

Provides for the continuation of all effective CAB orders and proceedings after termination of the Civil Aeronautics Board.

Section 13. Definitions.

Definition of "agency" and "function" for purposes of this Title.●

## A NATIONAL CABLE POLICY

HON. W. J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. TAUZIN. Mr. Speaker, in an effort to promote the growth of cable television services much attention is being given to the establishment of a National Cable Policy. However, the question has been raised as to Congress constitutional authority to enact such legislation. I believe the following white paper by Prof. Laurence H. Tribe of Harvard University Law School clearly illustrates that a national cable policy would be a valid exercise of congressional power.

THE CONSTITUTIONAL AUTHORITY OF CONGRESS TO ENACT THE CABLE TELECOMMUNICATIONS ACT

(By Laurence H. Tribe\* Tyler Professor of Constitutional Law, Harvard University Law School)

(In the ongoing public policy debate over a proper regulatory environment for cable television, a major point of contention is whether the U.S. Congress possesses the Constitutional power to enact uniform national standards, thereby preempting the current hodgepodge system of literally hundreds of separate municipal cable franchising authorities.

(In order to resolve this issue, the National Cable Television Association invited an eminent Constitutional authority, Professor Laurence H. Tribe of the Harvard University Law School, to examine the question. Professor Tribe analyzed basic provisions of

the Constitution which authorize Congressional regulation of interstate commerce as well as amendments protecting free speech and the powers of states. He also carefully considered how these provisions and amendments apply to the 20th century technology of cable. Additionally, Professor Tribe examined applicable Congressional actions, regulatory agency rulings and court decisions dating to the earliest years of the Republic.

(Professor Tribe compiled his findings on the authority of Congress to impose federal standards on cable regulation—and specifically on its authority to enact S.66, the Senate version of the Cable Telecommunications Act—in a 34-page, heavily footnoted and annotated report. The full text of the report is available from NCTA on request. Here, in slightly edited form, are highlights of Professor Tribe's research and conclusions.)

There can be no doubt that the Supreme Court would uphold the Cable Telecommunications Act as a valid exercise of Congressional power under the Commerce Clause of the U.S. Constitution, which empowers Congress to "regulate Commerce . . . among the several states."

First, there plainly exists a rational basis for Congress to find that the activities the legislation would regulate substantially affect interstate commerce, while the means employed by the bill—both its assertions of direct federal regulatory power to establish a national cable policy and its restrictions of state and local regulatory power in a manner necessary and proper to prevent that national policy from being thwarted—will advance Congress' goal of promoting cable as a viable medium in a competitive marketplace.

Second, Congress is alternatively justified in imposing regulatory conditions on cable operators simply by virtue of their taking advantage of the channels of interstate commerce and may in turn regulate local cable franchising authorities to the extent reasonably necessary to effectuate these conditions.

Third, the bill offends no independent provision of the Constitution, including the Tenth and the First Amendments.

Congress' wide power to regulate all activities having any interstate impact, however indirect, was first enunciated by Chief Justice John Marshall in 1824 and has been steadily adhered to by the courts over the last half century.

On several grounds cable television systems clearly can be seen to affect interstate commerce and therefore to be Constitutionally subject to Congressional regulation:

1. Cable systems themselves serve as nothing less than instrumentalities of commerce and information, whose market structure, technology and chain of production and distribution all cross interstate lines to at least as great an extent as the other forms of communication regulated under the Communications Act.

For example, many cable systems are elements of much larger enterprises doing business in several states.

Retransmitting broadcasts via cable systems from the national networks, moreover, often crosses state lines. With the advent of syndicated cable programming delivered via satellite, it is even clearer that local cable systems operate interstate as a technological matter.

The pay television market involves a chain of distribution that runs interstate—from producers heavily concentrated in Holly-

wood, to pay television networks such as Home Box Office and Showtime, to local cable operators across the United States, to subscribers.

2. Even if cable television were not so clearly an interstate activity, Congress would be empowered to pass the Cable Telecommunications Act because the courts have ruled that purely intrastate economic activity still may be regulated by Congress when the cumulative effect might reasonably be expected to have an important impact on interstate commerce. The cumulative effect of local cable operations indisputably affects the national cable market.

3. If Congress has the power to regulate the broadcasting industry, which no one seriously contests, then it has the power to regulate cable. Time and again Congress and the courts have ruled that regulatory agencies are authorized to regulate the intrastate competitors of interstate enterprises. Indeed, the courts have specifically upheld FCC regulation of cable companies as "reasonably ancillary" to its responsibility to regulate television broadcasting.

We are now at a point in the history of technology at which all communications is becoming increasingly electronic and conventional lines of distinction among modes of communication are becoming increasingly obsolete. As a result, every mode of communication can be traced more and more to interstate operations. Since each mode of communication will have a competitive effect on the supply and demand for all other modes, Congress may regulate all competing modes of communication as a necessary and proper adjunct to exercising its power to regulate interstate commerce.

Competitors to cable's entertainment services—such as subscription TV, low-power television, multipoint distribution systems and direct broadcast satellites—are burgeoning. So are new two-way services from cable itself—such as electronic banking, data, services, security systems and electronic mail delivery. This interdependence of various services once thought separate will continue to increase, thus further bolstering Congress' regulatory authority over cable.

Cable's substantial effect on interstate commerce having thus been established, the only remaining question is whether the Cable Telecommunications Act is reasonably adapted to carrying out Congress' Constitutional Commerce Clause authority.

The legislation would promote the vigorous development of a national cable industry within a competitive marketplace (the established goal of Congress) in two principal ways:

By centralizing regulatory authority in the FCC (with the expectation that this authority would be wielded decreasingly);

By restraining the powers of state and local regulation to impose a patchwork of conflicting or uneconomic regulations hobbling the efficient growth of cable.

Both these approaches support the promotion of increased competition in the cable industry while eliminating state and local regulation impeding such competition by posing economic barriers to cable's entry or survival.

Specifically, the legislation is designed to reduce disincentives to investment in cable that state and local regulators have imposed or might impose. Because cable requires high initial capital outlays, reliable expectations of adequate return on investment are critical to inducing investment. The Cable Telecommunications Act, by standardizing national cable policy, is intended to help

\* This memorandum has been prepared for use by, and under the auspices of, the National Cable Television Association. The memorandum reflects solely the views of its author.

ensure a reliability of expectations impossible to obtain in a widely variant locality-by-locality regulatory environment.

For example, the provision of the legislation which would bar government franchising authorities from acquiring cable systems at the end of franchise terms for less than fair market value would encourage cable investment by eliminating disincentives to entry that operators might have if they feared that government could appropriate their investment for a below-market price.

Likewise, the provision of the legislation which would place a ceiling on franchise fees and allow operators to show the fee as a separate item on subscribers' bills encourages cable investment by preventing local governments from exacting fees so high as to discourage entry.

The franchise renewal provisions of the legislation also should increase cable investment incentives. Without the renewal expectancy created by these provisions cable operators might well be discouraged from investing in systems which take as long as a decade to turn a profit but which might be taken away after only 15 years.

Thus, the major provisions of the Cable Telecommunications Act further Congress' goals of partially substituting market incentives for bureaucratic control of cable, thereby allowing cable to compete on a more equal basis with other media.

The principle that Congress has the authority to impose whatever restrictions it wishes on the privilege of suing the channels of interstate commerce—so long as those restrictions themselves violate no independent Constitutional prohibition—supports these provisions of the legislation:

Cable operators must refrain from collecting personally identifiable information from subscribers without prior consent.

A cable operator must obtain a franchise before providing any service.

An operator with an existing franchise providing for a fixed charge for basic cable service over a specified period is not entitled to annual increases as a matter of right.

An operator who does not satisfy certain conditions of technical quality and reasonable service is not entitled to an expectation of franchise renewal.

Governmental entities which own cable systems shall not exercise control of programming content.

Congressional regulation (and deregulation) of franchising authorities is necessary and proper to protect the interstate commerce (represented by cable) from the adverse effects of a patchwork of conflicting and burdensome state and local regulation.

Congressional enactment of the Cable Telecommunications Act would not violate any constitutional provisions.

Although the bill would displace and reallocate some powers currently exercised by state and local governments, it would not violate the Tenth Amendment as construed by a 1976 court ruling involving the National League of Cities.

That decision found the Tenth Amendment does not shield the state from "preemptive federal regulation of private activities affecting interstate commerce." Indeed, the ruling permits total preemption by Congress of regulation of private activities affecting interstate commerce.

Because federal deregulation of cable would be frustrated if state and local governments were free to regulate cable entirely according to their own devices, it is necessary and proper that Congress preempt state and local regulation to the degree

needed to effectuate federal policy for cable television.

The Cable Telecommunications Act would give states the choice of forbearing from regulation of certain activities affecting interstate commerce or regulating them in a manner consistent with federal standards. That is a valid exercise of Congress' Commerce Clause power.

Finally, while the bill would permit certain limitations on the content of cable programming, it would not violate the First Amendment as currently construed. Provisions to exclude obscene programming, subject to judicial standards of obscenity, do not delegate improper power to censor Constitutionally protected speech.

In some ways the legislation enhances the expressive values of the First Amendment, for instance by limiting regulators' interference with programming, encouraging expanded service and reassuring viewers by protecting their privacy.

For the above reasons the Cable Telecommunications Act is well within the limits of Congress' authority under the Commerce Clause of the U.S. Constitution. ●

#### POETIC TRIBUTE TO ROGER WILLIAMS

#### HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mrs. SCHNEIDER. Mr. Speaker, this year, the State of Rhode Island and Providence Plantations will be celebrating a tercentenary anniversary of our founder, Roger Williams. In addition to founding one of the Thirteen Original Colonies, Roger Williams was the driving force behind the idea of "freedom of choice" in the matter of religious belief.

Attainment of this ideal led Roger Williams from England where he had been an object of religious persecution, to the New World where he first settled at Massachusetts Bay Colony. Conditions in Massachusetts Bay were no different from those he left behind in England, so once again Roger Williams was forced to flee because of his religious convictions. He traveled south, meeting up with a friendly tribe of Indians, and taking solace from this surroundings, purchased the land from them and founded the city of Providence.

Here, in his own colony, Roger Williams put into practice the idea of "freedom of choice." This ideal was enshrined by the Founding Fathers of our country in the first amendment to the U.S. Constitution.

In honor of this event, a Rhode Island poet and local historian, Virginia Doris, has composed a tribute to our State's founder, which I would like to share with all of you.

The poem follows:

ROGER WILLIAMS, THE SOUL OF LIBERTY,  
PROVIDENCE PEACEMAKER, 1636

Aye, let the Muse of History write,  
On a white stone his honored name,

Loyal to liberty and light,  
First on Rhode Island's roll of fame.

Listen to his rich words, intoned  
To songs of lofty cheer,  
Who in the howling wilderness,  
Mid forests wild and drear.

Breathed not of exile nor of wrong,  
Through the long winter nights,  
But uttered in exulting song,  
The soul's uncharted rights.

Who sought the oracles of God  
In the heart's veiled shrine,  
Nor asked the Monarch nor the priest,  
His sacred laws to sign.

Apart from controversial strife,  
Ready to hail the morning's ray,  
To break with all the bread of life,  
And open wide the doors of day.

The wave-worn rock still breasts the storm  
On Seekonk's lonely side,  
Where the dusky natives hailed the bark  
That bore their gentle guide.

Yet memory lingers with the past,  
Nor vainly seeks to trace  
His foot-prints on a rock, whence time  
Nor tempests can efface.

Whereon he planted, fast and deep,  
The roof-tree of a home  
Wide as the wings of love may sweep,  
Free as her thoughts may roam.

Where, through all time, the saints may dwell,  
And from pure fountains draw  
That peace which passeth human thought,  
In liberty and law.

While hope shall on her anchor lean,  
May memory fondly turn  
To wreath the amaranth and the palm  
Around their funeral urn.

Well may the Muse of History place;  
Foremost among the just and free,  
His honored name, wherein we trace  
The soul of Law and Liberty. ●

#### TEXAN HEADS NATIONAL TRUCK ASSOCIATION

#### HON. KENT HANCE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. HANCE. Mr. Speaker, I am pleased to call to the attention of my colleagues the fact that Mr. Jay Trammell, president of Jay Trammell Lines in Dallas, Tex., was elected president this week of the Interstate Carriers Conference.

The conference, an affiliate of the American Trucking Associations, represents nearly 800 trucking companies and 150 associate members throughout the country.

The new president, who resides in Dallas with his lovely wife, Darlinda, and their two children, founded Jay Lines in 1970 after previously having held executive positions with other truck lines in Dallas and Omaha, Neb. Additionally, he has held numerous positions in the conference, the Texas Motor Transportation Association and

the National Perishable Transportation Association.

The conference has chosen well, and I am pleased that Mr. Trammell's abilities have been recognized by his peers in the trucking industry.●

**THE FIRST BAPTIST CHURCH OF  
HIGHLAND PARK**

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. HOYER. Mr. Speaker, on Saturday, March 31, more than 1,000 people will gather in my Fifth Congressional District to mark an auspicious occasion, the 62d anniversary of the founding of the First Baptist Church of Highland Park. They will also gather to honor their pastor, and a very close friend of mine, the Reverend James J. McCord.

The First Baptist Church of Highland Park is one of the largest churches in Prince George's County, with an active membership of more than 1,500 parishioners. They are a devoted congregation contributing their time, energies and faith toward numerous needed services throughout the community. From the distribution of free food and clothing to the needy, to community day care, to home visitations for the sick, voter education and a prison ministry, the members of this outstanding parish reach out with the gift of love and caring.

In all these activities, Reverend McCord provides the leadership and inspiration, the real heart and soul of this church. With his warm and giving nature, he represents a true example of the Christian spirit. He is always ready to offer his services and lend his name to important causes.

Reverend McCord first came to First Baptist as a parishioner, in 1965. In 1967, he was ordained as assistant minister and in 1973 as minister.

He was born in Waterloo, Iowa and spent his early years in Nebraska and South Dakota. After two tours of duty in the Air Force, he went to the Sioux Falls College in South Dakota and received his B.A. in 1963. He came to the Washington area soon after where he and his lovely wife, Mary, raised two sons, James and Jacques.

Before coming to the ministry, he worked for the Smithsonian, the District of Columbia school system and was an instructor to the hearing impaired at Gallaudet. He also worked in the Model Cities program in Prince Georges County.

Whenever someone asks a parishioner about Reverend McCord, the same response is given, "he is a man who cares about us, who is responsive to our needs, who is unselfish in his time and his service to the community." His

strength is transferred into the strength of the thousands of people with whom he is in contact each week, and this offering is one of the greatest that can be made in the Christian faith.

It is truly a testament to his commitment to the ministry that his is the largest black church in Prince Georges County.

It has been an honor and privilege for me to have a close association and relationship with Reverend McCord and with the members of the First Baptist Church of Highland Park.

Mr. Speaker, I know you will want to join with me in offering my sincere congratulations on this remarkable occasion.●

**EDWIN B. FORSYTHE**

**HON. JAMES J. FLORIO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. FLORIO. Mr. Speaker, it is with great sorrow that I note the passing of the Honorable Edwin B. Forsythe of New Jersey.

The senior Republican in the New Jersey congressional delegation, Ed Forsythe had a distinguished career in public office that spanned 27 years. He served as mayor of Moorestown before being elected to the State senate, where he rose to the position of president before winning election to the Congress in 1970.

Ed Forsythe's work as ranking minority member of the Merchant Marine and Fisheries Committee brought great benefits to our State, and I know that he will be missed very much.

May I join my colleagues in extending my sincere sympathies to his wife, Mary, and to his family.●

**LISA RAE KELLY, VOICE OF  
DEMOCRACY WINNER**

**HON. DOUG WALGREN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. WALGREN. Mr. Speaker, while sometimes the news about America's youth is disappointing, we should be very proud of the vast majority of our young people. Lisa Rae Kelly, a junior at Moon Senior High School in Allegheny County, Pa., has been named the 1984 winner in Pennsylvania of the Voice of Democracy contest sponsored by the Veterans of Foreign Wars of the United States.

As Members of Congress, I know you will be interested in seeing Lisa's prize winning speech on "My Role in Upholding Our Constitution" and ask that this important message be shared

with all Americans by its insertion in the RECORD.

The speech follows:

**MY ROLE IN UPHOLDING OUR CONSTITUTION**

The curtain rises and millions of people the world over watch freedom at work as they witness dedicated Americans upholding the Constitution of the United States. This is not opening night. Our drama has run continuously during the one hundred ninety-six years following the adoption of the constitution in 1787. The Production, appropriately entitled "Upholding the Constitution of the United States," is based on an original manuscript written by dedicated Americans long ago.

And, now, it is my turn to take part in the inspirational drama that has no rivals. Let me trace my role in upholding the Constitution of the United States of America.

During my early years, I was an understudy, watching from the wings, studying the script, and waiting for my chance to star in a citizen's greatest role.

As I watched from offstage, I witnessed Americans in major roles casting their ballots during elections, fighting for freedom in foreign lands, making important decisions in Congress, and handing down judicial decisions. I saw the President in his leading role hold news conferences and give State of the Union addresses. I studied the basic principles of the constitution and the twenty-six changes which have been made to further protect the American citizen's rights.

And, after all my studying and watching, I knew I was ready for a bigger role.

I became a member of the chorus. There, I joined others in pledging allegiance to the Flag which has always stood as a symbol of freedom. I took great pride in my small role as I sang praises of a country that I love. I sang of our unique "Brotherhood from sea to shining sea." America, I thought, God truly has shed his grace on thee!

Today my new role is that of a supporting character. After watching other Americans at work, I can now appear as an individual in my best role so far.

As a dedicated young American, I appear in many scenes as I uphold the basic principles of our constitution.

**Scene I—A classroom:**

I exercise my guaranteed freedom by running for class office. Later, I am elected to Student Council, an example of representative government on a small scale.

**Scene II—Another classroom, a lesson in social studies**

I continue my education on the constitution and exercise my freedom of speech in class discussions, always confident that in our country an individual's voice can be heard.

**Scene III—Activity room, after school**

I work on the school newspaper, sometimes writing editorials that suggest changes in school policy. That's freedom of the press in practice!

**Scene IV—Home**

Home . . . the word somehow embodies the same comfort, the same security as does the word "America."

My family and I gather to speak freely of what we want, without fear of invasion of our privacy.

**Scene V—Church**

I kneel to pray at the church of my choice. The constitution insures freedom of religion.

Now, I am truly a member of the cast of "Upholding the Constitution of the United States." My role is not the lead, but it is a

vital one. I am a young American cast in the role that I cherish.

As new characters appear, and as changes are made in the drama, so, too, will my role change. Soon, I'll have one of the major parts. Those watching our production will see me as I assume even more fully my responsibilities as an American.

Yes, the drama goes on just as it has for the past one hundred and ninety-six years, and for the rest of my life, I'll proudly perform my role in "Upholding the Constitution of the United States of America."●

#### JOINT RESOLUTION ON SPACE COOPERATION

**HON. MEL LEVINE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. LEVINE of California. Mr. Speaker, along with 35 of my colleagues, I am today introducing a joint resolution expressing the sense of Congress that the President should initiate talks with the Soviet Union to explore new opportunities for cooperative East-West ventures in space. Rather than pursue a space policy which threatens to bring us closer to nuclear confrontation, we and the Soviet Union should recommit ourselves to developing space programs which allow us to develop joint and complimentary projects.

Along these lines, our resolution calls on the U.S. and U.S.S.R. to renew the 1972 treaty on space cooperation. This 5 year agreement was first signed by President Nixon, and was renewed by President Carter in 1977. Unfortunately, the Reagan administration allowed it to expire.

In the 1972 treaty, the U.S. and U.S.S.R. pledged to cooperate in the exploration and study of space. For the remainder of the decade, our two countries formed working groups and successfully conducted joint experiments and shared data on a regular basis. In preventing duplication of experimentation, space cooperation enhances the efficiency of our own space program. More significantly, the signing of a joint space exploration treaty provides our two nations with a unique opportunity to pursue a policy of cooperation rather than confrontation. I hope my colleagues will join with me in supporting this resolution.●

#### THE INSTITUTE OF INTERNATIONAL EDUCATION

**HON. BILL ARCHER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. ARCHER. Mr. Speaker, on the occasion of their annual meeting in Washington, April 29 through May 1, 1984, I would like to call to the atten-

tion of the House the Institute of International Education. The IIE is an example of an organization which provides an extremely valuable service to the Nation. At a time at which the United States is seeking to strengthen its ties with allied nations, and to build friendships with strategically important Third World countries such as our neighbors in Latin America and the Caribbean, the effects of private exchange agencies such as IIE should be actively encouraged. IIE's activities are coordinated by the Institute's national headquarters in New York City and carried out by U.S. regional offices in Atlanta, Chicago, Denver, Houston, San Francisco, and Washington, D.C., and by overseas offices in Latin America, Asia, and Africa.

IIE was founded in 1919 in the aftermath of World War I. Its assigned task was the promotion of international understanding through international educational exchange. Today IIE carries out this mission through the exchange of students and scholars, knowledge, and skills between the United States and 130 other countries.

IIE is best known for its administration of the U.S. Information Agency's Fulbright fellowships for United States and foreign students at the predoctoral level. Year after year IIE is successful in attracting hundreds of thousands of dollars of support for this program from universities, corporations, and other nongovernmental sources, a remarkable record of public and private sector cooperation for the public good. IIE also assists the USIA in the administration of the Humphrey fellowships—a Fulbright exchange activity—and the U.S. Government's memorial to the late Vice President.

The Institute of International Education conducts some additional 200 programs for foreign governments, international organizations, educational institutions, foundations, and corporations. The ITT Corporation's fellowship program, administered by IIE throughout the past decade, serves as a model program for corporate involvement in international education. Altogether IIE assisted some 8,500 American and foreign students, distinguished international visitors, and research professionals on technical assistance projects overseas during the 1983 academic year—a notable record for a private nonprofit agency and a major contribution to the development of international understanding. In addition to its role in the Fulbright program, IIE administers a portion of USIA's international visitor program, which brings distinguished foreign visitors to the United States from over 100 nations each year. The intent of the program is to increase the knowledge of the United States of influential citizens of other lands. Alumni of the program currently occupy hun-

dreds of cabinet positions around the world.

IIE offices in Washington, D.C., Denver, and Houston are particularly active in support of the international visitors program, which relies on community agencies to organize the local contracts of its participants. These three offices each year assist over 2,000 distinguished visitors from other lands. They insure a positive exposure to U.S. communities as well as a productive professional experience for distinguished foreign government officials, university professors, journalists, labor leaders, and representatives of many other walks of life. Their efforts significantly affect the U.S. image in over 100 countries.

IIE assists the Green Revolution centers, the international agricultural research centers around the world that have developed the miracle grains which hold the best hope of adequate food supplies for the less-developed nations. The institute administers projects for Ford Foundation, USAID, the World Bank, the governments of Brazil, Indonesia, the Philippines, and Zimbabwe, the Rockefeller Foundation and numerous other supporters of educational cooperation and of developmental assistance.

By administering such programs, the institute has acted as a catalyst in organizing such projects as the South African education program, a major effort of USAID, U.S. corporations, foundations and universities to provide educational assistance to the black population of South Africa. The program now assists over 100 students annually. IIE is able to make a major impact on international relations through cultural diplomacy. Its programs expose both the current and the next generation of leaders of other nations to the values of American society, and offer training other countries need to build their own societies. Research conducted through IIE-related projects is having a major impact on increasing the world's food supply.

IIE also serves the public and American higher education through its educational services—public service activities support through contributions. Through educational services, IIE, brings information and counseling to some 200,000 American and foreign students each year and provides over 65,000 copies of its many publications to students, educational institutions, counseling centers, and libraries all over the world.

IIE's educational services include conference programs, scholarship programs, and many other activities that bring needed assistance to organizations and individuals concerned with international educational exchange. As the central clearinghouse for information about exchange in the United States, the Institute of International

Education plays an important role in making productive educational relationships a reality.

IIE has special relationship with American colleges and universities, some 500 of which are affiliated with the institute as IIE Educational Associates. IIE assists American higher education in many ways.

The institute's overseas offices in Latin America and Asia provide on-the-scene assistance in interviewing and screening applicants overseas for American colleges and universities, and dispense information on United States higher education to tens of thousands of foreign students each year. They offer orientation programs, testing facilities, libraries, and catalog collections, and in general act as overseas ambassadors for American higher education.

IIE's regional offices in the United States function as service agencies in international affairs for the areas in which they are located. Originally these offices were founded to link IIE more closely with the colleges and universities throughout the United States that are the Institute's partners in educational exchange, and to bring together local citizens and international students in activities that would give these students a better knowledge of this country and improve Americans' understanding of other cultures.

The growing need in today's world to increase all citizens' awareness of international affairs has broadened the focus of IIE's regional offices. Seminars and conferences, programs for schools and rural communities, exhibits, and presentations are among the citizen education programs of IIE's regional offices. This is in addition to ongoing assistance to colleges and universities. Regional offices advise and consult about international education, work closely with campus study abroad advisers, foreign student advisers, admissions officers, and the individual student, and make available the full range of IIE publications and information services.

The Institute of International Education, its staff in the United States and around the world, and thousands of volunteers who give of their time and energy on behalf of international cooperation together form a significant national asset.

It gives me special pleasure to salute the Institute of International Education and to express the hope that this fine organization will continue its tradition of effective service to the Nation and the world for many years to come.●

## NED SKELDON INDUCTED INTO CENTRAL CATHOLIC HIGH SCHOOL HALL OF FAME

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Ms. KAPTUR. Mr. Speaker, on April 3, Central Catholic High School of Toledo, Ohio, will be inducting one of its most distinguished graduates into the school's Athletic Hall of Fame. Ned Skeldon was a 4-year member of the school's football, basketball, and baseball teams. During his great athletic career, Ned always displayed those special qualities found in all fine athletes: physical and mental strength; coolness under pressure; and sportsmanship.

After leaving Central Catholic, Ned enlisted in the U.S. Navy and became a pilot during World War II. Since that time, he has logged over 30 years public service, including elected, appointed, and behind-the-scenes roles in political life. But his public life has not taken him away from his athletic interests. Actually, he has put his love of athletics to work for the benefit of the community. Ned Skeldon was the inspiration behind the Lucas County Recreation Center which now serves over 175,000 citizens annually. He was also instrumental in the revitalization of the Toledo Mud Hens.

Ned Skeldon's career is clear evidence that the training one receives in athletics is applicable to every aspect of a fulfilling and rewarding life. I know my colleagues in the House of Representatives join me in congratulating Ned, his wife Susan, and his children, and wishing him the very best in the future.●

## VOLUNTEER FIREFIGHTERS HONORED

### HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. MRAZEK. Mr. Speaker, I rise today to pay tribute to three distinguished citizens of Glen Cove, N.Y., who will be honored at the Glen Cove Volunteer Fire Department headquarters. Fred DiMenna, William Miller, Sr., and Stanley Slowik have each served with distinction as members of the Glen Cove Volunteer Fire Department for the past 50 years. It is my privilege to bring the accomplishments of these brave men to the attention of my colleagues in the U.S. House of Representatives.

Since 1934, William Miller, Sr., Stanley Slowik, and Fred DiMenna have put their lives on the line to protect their community's homes, businesses,

and inhabitants. These self-sacrificing men have been called upon throughout the years to serve the city of Glen Cove without regard to personal injury, and time spent away from their families.

The unique commitment of these volunteer firefighters certainly embodies the great heart of our Nation, and the American spirit of being a good neighbor. And it is this spirit which has been a major force in the spectacular growth of our great Nation. Clearly, we need to recognize the importance of the role that all American firefighters play in our everyday lives.

During the past years, Stanley Slowik, William Miller, Sr., and Fred DiMenna have battled industrial fires, and they have saved people's homes and lives. They have provided fire prevention instruction and other vital services to the community.

Sometimes, we take the volunteer spirit for granted. There are probably people in Glen Cove who believe they are protected by paid firefighters. They are not. They are protected by extraordinary men like Stanley Slowik, William Miller, Sr., and Fred DiMenna; men who have together devoted 150 years of public service. For their great contributions in helping make the city of Glen Cove a safer and better place to live, they deserve our heartfelt and sincere gratitude.

Mr. Speaker, I join with the members of Engine & Hose Company No. 4 in Glen Cove, the family and friends of Fred DiMenna, Stanley Slowik, and William Miller, Sr. in recognizing volunteer firefighters.●

## A CONGRESSIONAL SALUTE TO BETTY CORSON

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. ANDERSON. Mr. Speaker, on April 8, 1984, the many friends of Betty Corson will gather at the Rancho Verde Racquet Club in San Pedro, Calif., to celebrate her retirement from Cooper High School in San Pedro.

For the past 17 years, Betty has been teaching English and grammar to students who failed to make it in a traditional classroom setting. Although her first day at the school was a bit traumatic when she had to prove that she was just as tough as a room full of boys, Betty said, "I was rather intrigued by a lot of things. It was a challenge and I liked the smallness of the place because I felt that was the setting in which you could really get to know kids on a one-to-one basis."

A native of Oklahoma, Betty and her family fled the Dust Bowl in 1939

for a better life. According to Betty, they traveled as far as our money would allow. They ended up in Glendale, Ariz. She later received a scholarship for the Los Angeles Pacific College and it was here where she was to meet her future husband, Bob. She was to graduate from Seattle's Pacific College shortly thereafter and, as a matter of fact, she and Bob were married 2 days after her graduation. Because of their many contributions to this institution, they were named as Alumni of the Year in 1980.

They returned to Los Angeles the following year and she began a 10-year career at Los Angeles Pacific College, 5 years as teacher and 5 years as dean of women. In 1958, they moved to San Pedro and it was not until 1966 that Betty began substitute teaching for the Los Angeles Unified School District. The following year, she was called to substitute at Cooper High School and she has been there ever since.

Mr. Speaker, as you well know, we have many special people in this country who seem to go beyond the call of duty. Betty Corson happens to be one of these people. Over the years she has worked with hundreds, perhaps thousands, of students who were cast aside by "The System", in the hope of giving them a second chance to succeed and be productive in life.

My wife, Lee, joins me in congratulating Betty Corson on a job well done. We know that she will be sorely missed by all the residents of the community and we are sorry to see her leave. We wish Betty and her husband, Bob, and their son, Donald, continued success and happiness in all their future endeavors.●

#### TRIBUTE TO DR. BENJAMIN MAYS

#### HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. DOWNEY of New York. Mr. Speaker, last week many of us noted with sorrow and respect the death of Clarence Mitchell. Today, I want to speak briefly about another man, an educator, who did so much to shape the leadership of the civil rights community, Dr. Benjamin Mays. Dr. Mays died yesterday in Atlanta.

Dr. Mays' life spanned 89 years of American history. These were years of great change and Dr. Mays played a critical, if quiet and often unnoticed, role in this change through his leadership of black educational institutions. His own experience ranged over a large part of this country. He was born in South Carolina and educated in Maine and Chicago. As dean of the Howard University Divinity School he

enriched the life of this city. From Howard he moved on to serve as president of Morehouse College in Atlanta where he also sat on the Board of Education. His life was a life of public service, and that is notable in itself.

Dr. Mays' achievements extend to a higher plane. It is worth noting that he did not consider education as something passive. It was a force for change. It served to guide people, to energize them, and to stimulate leadership.

The evidence of this activist commitment to education rests in the generation of civil rights leaders who studied with Dr. Mays and who actively sought his advice and guidance. The greatest among these was surely Dr. Martin Luther King, Jr. Dr. King once acknowledged Dr. Mays as his spiritual mentor and intellectual father. This, perhaps, should stand as the best testimonial that can be offered to the memory of a life of commitment, struggle, and education.●

#### MISSOURI TRUCKING COMPANY WINS NATIONAL SAFETY AWARD

#### HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. TAYLOR. Mr. Speaker, I am pleased to call to the attention of my colleagues the fact that Contract Freighters, Inc., of Joplin, Mo., has been awarded the Grand Prize Award for Safety presented by the Interstate Carriers Conference.

The conference, an affiliate of the American Trucking Associations, represents more than 750 trucking companies throughout the country.

Mr. Don D. Lacy, president of Contract Freighters, was present to receive the award at the conference's annual meeting held recently.

Contract Freighters won the award based on its outstanding low-accident-frequency rate and overall performance in such areas as maintenance, driver training, accident investigation, supervision, public activities, and general highway safety.

It is indeed fitting that the outstanding contributions of this fine company to our Nation's highway safety endeavors have been recognized.●

#### TRIBUTE TO TAD TAUBE, CO-FOUNDER OF THE UNITED STATES FOOTBALL LEAGUE

#### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. LANTOS. Mr. Speaker, many men and women exemplify the American dream, but few are better exam-

ples of it than Tad Taube—a man who has made the American dream come true, a man to whom many in my district owe much.

An American citizen by choice, like myself, Tad Taube was born in Poland 51 years ago. Later he came to the United States where he earned two degrees in engineering at Stanford University. He joined the U.S. Air Force—and fought courageously for his new country.

Tad has been a dynamic force in the business community on the San Francisco Peninsula and has added considerably to the economic vitality of the area. The Woodmont Cos., which he formed in 1964, are leaders in the fields of real estate and development. He is also a founder of Siltec Corp. in Menlo Park—now the second largest domestic manufacturer of silicon wafers. In 1981 he founded Stanford University's Center for Economic Policy Research and currently is serving on the Executive Committee of Associates for the Center.

Mr. Speaker, this is only one side of Tad Taube's life. He is also a philanthropist who has given generously to diverse worthy projects in the community. He is currently acting as president and director of the Koret Foundation, and has served as trustee and governor of several colleges, both in America and Israel. He is also deeply committed to achieving better relations between peoples of different backgrounds and faiths. He is a former director of the National Conference of Christians and Jews, and is active in the Bay Area Council and the Commonwealth Club.

Tad's sense of fair play has been evident throughout his life—a quality which he learned first hand through his great love of football. As cofounder of the new United States Football League he has enriched the sports scene both of our country, and of the Bay area. During the summer months, sports fans can now enjoy the skill and sportsmanship of the Oakland "Invaders" thanks to his entrepreneurship.

Tad and Gadd Taube, together with their four children, have never failed to give themselves to the people around them. They have proved that the American dream is still possible. I wish them every success and happiness.●

#### A TRIBUTE TO THE FIGHTING ILLINI

#### HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. DURBIN. Mr. Speaker, my State of Illinois is justifiably famed for its agriculture, coal mining, industrial might and outstanding education-

al institutions. And because of a representative of the latter, we are also becoming well known for our collegiate basketball.

Many of my State's most famous sons, men like Abraham Lincoln, came to Illinois from other States seeking opportunity. So it was with Lou Henson, coach of the University of Illinois basketball team. Nine years ago, the University of Illinois sought this Okay, Okla., native to be in charge of its basketball program. The choice proved to be a wise one.

During his years with the Fighting Illini, Coach Henson has compiled a 170-100 won-loss record. He has taken his Illinois teams to post season tournaments for 5 straight years and has averaged at least 20 victories a season for the past 6 years.

This year, he took a team that was predicted to finish no higher than fourth or possibly as low as seventh in the Big 10 and won the conference title. This hustling, scrappy squad then made it all the way to the finals of the Midwest NCAA tourney, losing a tough battle to Kentucky.

Today, I rise to praise Coach Henson before my colleagues not only for his accomplishments this year but during his entire career, both on and off the court.

He is universally acknowledged in my State to be a fine gentleman, an outstanding example of sportsmanship and one who is active off the court in a variety of important community activities.

On April 5, many of us who are admirers of Coach Henson will gather in Springfield to honor this fine man. The only problem will be in finding a hall large enough to hold all of those who want to join in the celebration.

Let this stand as evidence, too, to my friends and colleagues from States whose basketball programs are a bit shaky and in need of experienced assistance, that we in Illinois have no intention of letting this adopted son migrate once more.●

#### MOVING TRIBUTE TO THE AMERICAN REPUBLIC

#### HON. THOMAS R. CARPER

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. CARPER. Mr. Speaker, it is my privilege today to acknowledge a young Delawarean who has written a lovely and moving tribute to the American Republic.

Mr. Peter V. Campbell, the son of Dr. and Mrs. Charles Campbell of Wilmington, is the 1984 Voice of Democracy Essay Contest winner from Delaware. Sponsored each year by the Veterans of Foreign Wars, the essay contest theme for 1984 was "My Role in Upholding the Constitution."

Young Mr. Campbell's essay beautifully illuminates that theme, Mr. Speaker. Peter is not only a fine writer but an accomplished thespian. He plans to pursue drama at a college or university next fall—thus putting his VFW scholarship money to good use.

It is my honor, Mr. Speaker, to submit Peter Campbell's winning essay for publication in the CONGRESSIONAL RECORD. This Salesianum High School senior clearly has a future as rich in potential as his essay.

#### MY ROLE IN UPHOLDING THE CONSTITUTION

"We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

These cherished words should ring loud and clear for every American because they are the foundation on which our nation was born. This fledgling nation which was destined to become the shelter and light to all those searching for freedom lies on a solid Constitution. Our Constitution is one of the greatest documents ever written because it serves certain inalienable human rights to each person. These rights are blended together with the basic law of our great land to form a union of states which share strong, common bonds. As a nation, we are constantly striving for peace and justice everywhere because our wish is that others may taste the freedoms which we experience daily under our Constitution. Our founding fathers resisted threats which were made to suppress basic human rights, and they boldly presented to the world a document which speaks for all Americans. We are a free people.

We do not have the worry of being awakened in the middle of the night to be seized and taken to prison because we have voiced our opinions which may be contrary to governmental policy. The Constitution embodies a full Bill of Rights which is essential to the democratic way. We may publicly question the decisions of leaders without fear of reprisal. We may work together in community effort to change a law with which we disagree. Such actions are virtually impossible behind the iron curtain because those people are not protected from the arbitrary use of governmental power by their written constitutions.

But what is my contribution to my country? What is my role in upholding the Constitution? Although great men and women have fought for this country, I fear that my humble offering may not be remembered in history textbooks written two hundred years from now. Nevertheless, it is a small tribute that is important. Our country's support stems from each person's contribution, whatever its size may be. My contribution is to strive to become the best citizen that I can be. In doing so, I will be able to support and defend the country I so love.

What then is a good citizen? Is it someone who helps little old ladies across the street, or who aids others in time of need? Yes, it is, but my passion for this nation has a stronger foundation than that. Although the Constitution protects my rights, I have a duty to take an active part in ensuring that no American is deprived of his/her rights, even in an unpopular cause. If we fail to support others in causes which we

feel are necessary to the democratic process, then we will lead ourselves to a road of chaotic disaster.

I have always been taught in school that voting is a constitutional privilege which we may exercise to voice our opinions. Although many people feel that it is a hopeless cause, they do not seem to understand the value of their singular vote. It is, however, an expression of opinion, our direct say in the government. Though it is really one of the greatest freedoms which we possess, it is, unfortunately, often sadly neglected.

In order to understand the Constitution, we must read it carefully as we would a piece of poetry. We should establish for ourselves the true meaning of these words, and raise questions and search for answers. When creating the Constitution, our forefathers debated and argued tirelessly. Our desire for the truth should be no less than theirs.

It is the duty of every citizen to perform these actions, even though they may pale in comparison with the efforts of such figures as George Washington and Benjamin Franklin. Yet they would not have become great citizens if they were not first good citizens. To be a good citizen is a difficult task because we must constantly be aware of others and our changing times. But as Thomas Jefferson so eloquently stated: "Eternal vigilance is the price of Freedom."●

#### IN MEMORY OF MARGARET E. HART

#### HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Ms. MIKULSKI. Mr. Speaker, I honor today the memory of a truly dedicated citizen, the late Margaret E. Hart. She personified the hard-working, community-oriented spirit upon which this Nation was built.

She worked informally for many years in the southeast Baltimore community. The telephone work she did in her kitchen became the southeast community hotline after the southeast community organization, of which she was a founder, obtained money, volunteers, and an office for the program. Margaret Hart was also an organizer of an annual family picnic for residents of the community. Her concern for her community went beyond mere words, for it was her action that launched programs like the southeast community hotline and it was her willingness to take action and become involved on behalf of others that we will always remember her for.

Her work brought several awards and commendations for the mayor's office, including an Unsung Hero Award and a Baltimore's Best Award. A portrait of her done as a result of the latter award hangs in the Baltimore Convention Center.

Much can be learned from the life and work of Margaret Hart. She has proved that one person can make a

difference, and through her efforts, others have been inspired to continue her work. Her motivation was not money or fame but rather, an honest concern for her neighbor. Margaret Hart's efforts have touched the lives of many. She understood and appreciated the importance of doing for others, and she devoted her life to that principle. We will miss her.●

**DR. BENJAMIN E. MAYS—A  
SYMBOL OF GREATNESS**

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● **Mr. RANGEL.** Mr. Speaker, I rise to express my deep sorrow at the death of Dr. Benjamin Mays, one of the fathers and guiding spirits of the civil rights movement.

Benjamin Mays began his career as an educator in 1934, when he was appointed dean of the Howard University Divinity School. He lectured throughout the United States and abroad, gaining a reputation as a champion of justice and equality. His message and reputation brought him to Morehouse College, where he served as President from 1940 to 1967.

His voice was a relentless message of commitment to achieving dignity for black Americans. In the days before the Civil Rights Acts, before Little Rock, and before Martin Luther King, Dr. Mays stood like a rock against the tide of prejudice.

Few of us can really appreciate how strong his word was without noting that Martin Luther King was one of his most promising students at Morehouse. Dr. King once said that Dr. Mays was "my spiritual mentor and my intellectual father." This, Mr. Speaker, is an indication of the truly profound influence of Benjamin Mays. He was, without question, a great man.

Let us remember his example, and let us bear in mind that America's best citizens have been those who have been able to devote their lives to bettering the conditions of all citizens. These are the people who never lost their faith in their ability to affect change without violence. This, Mr. Speaker, is a legacy to pass on to our children and to our children's children.●

**TOLEDO-LUCAS COUNTY  
LIBRARY SYSTEM PRAISED**

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● **Ms. KAPTUR.** Mr. Speaker, recently, Toledo, Ohio, was deemed to be the fourth "best read city" in the Nation

based on use of public libraries. Taken from figures in the "The Book of American City Rankings," the listing reflected a use per person derived from libraries' annual loan totals divided by the size of the populations served.

We in the Toledo-Lucas County area have always been very proud of our library system. The public has always shown strong support for its library system which this study clearly shows. Public libraries serve an extremely valuable community service. They are vital sources of knowledge and information for all citizens, regardless of background or social standing. The public library is an institution that has endured for decades in America. In some communities, such as mine, the public library has flourished.

I know my colleagues in the House of Representatives join me in congratulating all those associated with the Toledo-Lucas County Library System. They have done a superb job.●

#### EDUCATION EQUITY

**HON. MAJOR R. OWENS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● **Mr. OWENS.** Mr. Speaker, today I would like to speak about educational equity, by which I mean education which truly provides an equal opportunity for all students to master the basic skills which are the key to moving on toward the mastery of more complex skills and subjects.

There are those who take the view that educational success is predetermined by the accident of birth. This rigid doctrine of predetermination would have it that the children of the poor are naturally less competent than the children of the rich, therefore they will achieve less. People who hold this view expect little of the schools and teachers and basically hold the child fully accountable for his or her success or lack thereof. I disagree with this view because I believe that it is possible to educate all children if we would but put our minds to it and utilize the available information on the subject. The only constraint on pushing forward on this front is our unspoken belief that the children of the poor cannot or will not succeed. This view serves those who would perpetuate and extend class differences—those who do not believe in equal access to education for all of our children.

As early as 1971, Weber, an educational researcher, demonstrated that there were four basic characteristics which differentiated successful and unsuccessful schools which were responsible for the education of poor

children. Those four characteristics were: First, strong leadership; second, high expectations of students; third, an orderly, relatively quiet, and pleasant atmosphere and fourth, a strong emphasis on the acquisition of reading skills with careful and frequent evaluation of the acquisition of those skills. All four of these characteristics are totally within the control of the school. All four of these characteristics are not dependent upon the school budget.

Subsequent studies over the years have tended to verify Weber's original findings and add more detail. For example, teachers in effective schools believe that what they do has an impact on student performance but teachers in ineffective schools believe that student performance is based on variables outside the school such as family background.

Why, in the face of research to the contrary, has the belief in the ineducability of poor children persisted? I submit that this belief persists because it provides an excuse for failure for those schools and their personnel who do not wish to make an effort to succeed and I believe that this belief persists in the larger society because it provides an excuse to accept poor performance for poor children. The ever-widening class differences in this country serve interests which can hardly be expected to relinquish their position of economic superiority. A permanent underclass which can meet the needs of those in an economically superior class is an asset to some. However, the fact remains that this cynical approach toward the noneducation of poor children is unfair, unjust, inequitable, and I would hope, un-American.●

**THE RETIREMENT OF MICHAEL  
G. FLAHERTY**

**HON. JAMES M. SHANNON**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● **Mr. SHANNON.** Mr. Speaker, when Michael G. Flaherty steps down as chairman of the board, the South Middlesex Chamber of Commerce will lose a man who has helped the area weather a time of great change.

Over the past few years, the South Middlesex area has witnessed an enormous growth in high-technology industries. Mike Flaherty helped to ease this transition. As chairman of the chamber's private industry council, he helped the area's economy grow and flourish. While working at Digital Equipment, he has seen first hand how the influx of high technology has affected not only the area's economy, but its people as well.

Mike Flaherty served on the South Middlesex Chamber of Commerce out of a deep commitment to his community, and that commitment shows in his involvement in a long list of community organizations. He has served on the board of the Framingham Union Hospital. He has worked with the Juvenile Diabetes Foundation, the Heart Association, the YWCA, the Boy Scouts—the list goes on.

Mike's commitment to the South Middlesex community will undoubtedly continue after he steps down as chairman of the board. His dedication to the chamber of commerce—and his accomplishments there—have helped to shape the economy of one of the fastest growing areas in the country. Mike Flaherty's guiding hand will be sorely missed.●

DEMOCRACY IS ALIVE AND WELL

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. BEREUTER. Mr. Speaker, for Latin America, the decade of the 1980's will increasingly be highlighted by the struggle between democracy and authoritarianism. The civil war in El Salvador and the tense international situation in Central America often cause our view of Latin America to be quite myopic. The Congress should understand this condition, Mr. Speaker, because an important number of nations in South America are winning the struggle against the military authoritarianism which plagued the region a decade ago.

Over the past 5 to 7 years, huge steps toward democracy have been taken in South America. An editorial in the Omaha World-Herald of March 18, 1984, pointed out that 9 of the 12 South American countries are democratic and, to very differing degrees, the remaining countries are on their way. The United States should always work toward the rapid reestablishment of democracy in all countries in the Western Hemisphere. Yet while we are concentrating our energies in Central America, we should not forget that South America's current progress toward democracy is nothing less than remarkable. I recommend this editorial to my colleagues.

[From the Sunday Omaha World-Herald, Mar. 18, 1984]

DEMOCRACY MOVES AHEAD

While parts of Central America simmer with political unrest, South America has been making impressive progress toward democracy over the last decade.

Indeed, people in the United States who are preoccupied with problems in El Salvador, Honduras and other parts of Central America might be well advised to pay more

attention to what's happening in South America.

Currently, nine of the 21 countries on that continent have democratic governments or are scheduling elections.

These countries have 94 percent of South America's 246 million people. Ten years ago, only 30 percent were under some form of democratic rule.

The changed pattern has prompted Secretary of State George Shultz to observe that the decade has seen "an extraordinary trend toward democracy."

This doesn't mean that the nine countries have or are considering democracy or freedom identical to that in the United States. Some of the democratic governments are leftist and some are rightist. The level of freedom varies.

It is the direction of the trend that is encouraging.

Ecuador ousted its military rulers in 1979. Peru followed suit in 1980, Bolivia in 1981 and Argentina just last year. Brazil and Uruguay have scheduled presidential elections later in the year.

Not yet under democratic rule are Chile, Paraguay and Suriname, although there are encouraging changes in those countries.

The Reagan administration has been working quietly with the emerging democracies, extending moral support and economic aid.

Professor Jorge Dominguez, a Harvard University specialist on Latin America, said in a recent study that although this assistance is helpful, "It just isn't helpful enough."

The United States, then, has a major part to play in the future political direction of South America along with Central America.

It would be a mistake to concentrate on Central American problems without also raising the policy horizon to include South America, where democratic hopes are fragile but growing.●

TRIBUTE TO BENJAMIN MAYS

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. DERRICK. Mr. Speaker, I rise to pay tribute to a gentleman who has left South Carolina and the Nation as a whole much richer by his life, Benjamin Elijah Mays.

Dr. Mays, throughout his distinguished career of more than half a century as an educator, civil rights leader, and theologian, has inspired people of all races throughout the world by his persistent commitment to excellence.

Dr. Mays was born in 1895 in Greenwood County, S.C. One of his first memories was one of racial violence, but he looked beyond the frustrations of segregation and persevered toward its elimination. He was instrumental in the ending of segregation of public facilities in Atlanta, Ga., and he promoted nonviolence during a time which was often marred by racial violence.

Dr. Mays had an illustrious career as an educator. He was head of the School of Religion for Howard Univer-

sity before being named president of Morehouse College in Atlanta.

In January 1983, I nominated Dr. Mays for the Presidential Medal of Freedom. His efforts for people of all races were outstanding and I ask you to join with me in the memory of a great servant of mankind, one who made the world a much better place.●

DR. YOSHIRO YASE—DEDICATED SCIENTIST HONORED BY THE PEOPLE OF GUAM

HON. ANTONIO BORGIA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. WON PAT. Mr. Speaker, several months ago I brought to your attention the work of Dr. Kwang-Ming Chen, a scientist on Guam, who had studied the causes of amyotrophic lateral sclerosis (ALS) and Parkinsonism Dementia (PD) for many years. Because of a lack of sufficient information the commendation neglected to mention his colleague and co-researcher, Dr. Yoshiro Yase. That is why I am bringing Dr. Yase's brilliant contributions to this vital research to my colleagues' attention today.

The territory of Guam has one of the highest incidence rates of ALS and PD in the world. Considerable research has been performed in an effort to isolate etiological factors, and much of this research was done on Guam by Dr. Yoshiro Yase at the National Institute of Neurological and Communicative Disorders and Stroke Research Center. Dr. Yase's research established a correlation between the presence of aluminum and other trace metals in the environment and the two diseases. It now appears that the etiology of these degenerative diseases of the central nervous system may have been found, and their prevention, or treatment of, is on the horizon. The people of Guam and myself are very appreciative of the doctor's dedicated commitment to this research.

PD and ALS are characterized as chronic neurological conditions marked by muscular rigidity, tremor and impaired motor control. They have been diagnosed among Chamorros on Guam since the early 20th century. Dr. Yase began his research on Guam in 1964 with his colleague, Dr. Kwang-Ming Chen. They began to suspect that the high concentration of aluminum in the water and soil was a primary factor in the disease rate. After considerable study, Dr. Yase ruled out hereditary factors and turned his attention to an interaction between high aluminum and low calcium and magnesium levels in the water supplies.

Almost every family on Guam has suffered from the loss of a relative to

PD or ALS. That is why Dr. Yase's contribution has been so important to the people of my island. These are horrible, insidious diseases and it is very painful to watch loved ones' physical capacities degenerate so rapidly. An estimated 15 to 20 percent of adult Chamorro deaths are attributed to the two diseases.

A short profile of this esteemed Japanese researcher follows. It is certainly a shining example of a life that has been devoted unselfishly to the attainment of knowledge and the health of mankind.

#### CURRICULUM VITAE

Name: Yoshiro Yase.  
Address: 12-1, Nishi Takamatsu, Wakayama City, Japan.  
Birth date: July 30, 1927, birthplace: Kyoto, Japan.  
Marital status: Married, wife Mariko and three children.  
Nationality: Japanese.  
Education: 1952 Graduated from Kyoto Prefectural Medical College.  
Training and employment: 1954—Teaching assistant, Dept. Neuropsychiatry, Wakayama Medical College; 1960—Lecturer, Dept. of Neuropsychiatry, Wakayama Medical College; 1964—Research Associate, NINDB Research Center, Guam, for one year; 1965—Associate Professor, Wakayama Medical College; 1969—Chairman, Division of Neurological Diseases, Institute of Medical Research Wakayama Medical College; 1971—Professor of Neurology, Wakayama Medical College; 1977—Director, Institute of Medical Research, Wakayama Medical College.  
Associations and appointment:  
1. Officer, Japanese Neurological Society.  
2. Vice Director, ALS Research Group, Ministry of Health and Welfare since 1969.  
3. Vice Director, ALS Research Group, Ministry of Education since 1972.  
4. Scientific Consultant, ALS Association of America since 1980.  
5. Research Grantee 1966-1974, NINCDS, NIH, HEW for comparative studies of ALS in Guam and Kii peninsula, Japan, and established aluminum and other trace metals as etiologic factor.●

#### U.S. HIGH TECH DRAINED AWAY BY THE SOVIETS

**HON. DUNCAN HUNTER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1984

● Mr. HUNTER. Mr. Speaker, recently, the nationally syndicated columnist, Jack Anderson, published a

column entitled "U.S. High Tech Drained Away by the Soviets." This article details the horror story of the looting of our militarily critical technology by the Soviet Union. In his article, Mr. Anderson described the work done by my distinguished colleague, Mr. ROTH of Wisconsin. When the Export Administration Act was considered by the House, Mr. ROTH took the lead in trying to protect America's technological supremacy from being eroded by the thievery of Communist block nations. As the ranking member of the House Subcommittee on International Economic Policy and Trade, Mr. ROTH has earned the respect of his colleagues for his hard work on the Export Administration Act and his knowledge of the critical issue of the hemorrhage of U.S. technology to the Soviet bloc.

Now that the House and Senate conferees are beginning their important work on this vital issue, it is more timely than ever to review the points made in the Jack Anderson column. For this reason, I am inserting the text of his article into the RECORD.

[From the Washington Post, Mar. 19, 1984]

#### U.S. HIGH TECH DRAINED AWAY BY THE SOVIETS

(By Jack Anderson)

Like sticky-fingered kids turned loose in a candy store, the Soviets are looting the West of its high technology. They are using the information to develop sophisticated weapons and modernize their industrial plants. Yet members of Congress and the business community seem determined to encourage this high-tech drain.

U.S. officials believe that more than 150 Soviet weapons systems contain technology derived from western sources. One secret Pentagon report lists two dozen methods the Soviets have used to obtain this material. They range from legal purchase to theft.

The report, seen by my associates Michael Binstein and Dale Van Atta, mentions 14 specific areas where U.S. technology has helped the Soviets "to develop new generations of smart weapons, to dramatically improve their airlift capability, to make their nuclear weapons more accurate and to enhance their command and control with better computers and communications."

Glimming onto western high-tech material is a booming industry in the Soviet Union. U.S. officials estimate that the Kremlin has 20,000 people engaged in acquiring and analyzing western-produced systems. Most of the 135 Soviet citizens kicked out of 21 nations last year were trying to obtain high-tech secrets.

The most effective way to stanch the hemorrhage of vital technology to the Soviets would be to strengthen the Export Administration Act, which expired last year. Instead, the House has passed a poorly crafted bill, sponsored by Rep. Don Bonker (D-Wash.), that would seriously weaken U.S. export controls.

A basic flaw in the Bonker legislation is its blithe presumption that COCOM, the Paris-based Coordinating Committee of NATO members, has been doing a good job of controlling high-tech exports to the Soviet bloc. It hasn't.

One of Bonker's colleagues, Rep. Toby Roth (R-Wis.), has pointed out this weakness in the legislation, which is now in Senate-House conference. Roth notes that there's not a single report or survey claiming that our European and Japanese allies are effectively policing either their own technology exports or reexports of U.S. goods.

Quite the contrary, in fact, one of the few studies on the subject—by the Atlantic Institute in Paris—cites the existence of "a thriving and lucrative business based on surreptitious sale of strategic and military technology to the Soviet Union and eastern Europe." The report's author was told by a U.S. customs agent in Europe: "Everything I touch turns to gold. Every lead uncovers illegal sales."

The report concludes ominously: "In view of the exceedingly lax enforcement efforts by certain COCOM countries, the cases that are detected and investigated may represent only the 'tip of the iceberg'..."

Roth believes that items classified as "Militarily Critical Technologies" are simply too numerous to be controlled. Instead of presenting a reasonable list of these critical items, the Pentagon labored and brought forth a mountainous, 700-page volume. The result is that the Customs Service and Commerce Department waste valuable time and effort going after low-grade, obsolescent computers when they could be watching for highly sensitive items.

The CIA has a list of the items the Soviets want most—the gourmet products in the high-tech supermarket instead of the bottles of ketchup. Recognizing the need for selectivity Roth and his allies are trying to put through an amendment narrowing the list of controlled exports in return for stricter enforcement. But business interests are trying to kill the amendment, hoping to get rid of many existing controls on grounds that they're ineffective.●